

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13163 of 2020

Arising Out of PS. Case No.-349 Year-2019 Thana- NAUTAN District- West Champaran

1. MAHANTH YADAV Son of Late Amar Yadav @ Chanar Yadav @ Anar Yadav Resident of Village- Chatiya Diyara, P.S.- Malahi, District- East Champaran.
2. Rabindra Yadav @ Ravindra Kumar Yadav Son of Sri Mahanth Yadav Resident of Village- Chatiya Diyara, P.S.- Malahi, District- East Champaran.
3. Chandrakali Devi Wife of Sri Prahlad Yadav Resident of Village- Chatiya Diyara, P.S.- Malahi, District- East Champaran.
4. Satyendra Yadav Son of Late Bikram Yadav Resident of Village- Ijra Nawada, P.S.- Gobindganj, District- East Champaran.
5. Sabita Devi Wife of Sri Satyendra Yadav Resident of Village- Ijra Nawada, P.S.- Gobindganj, District- East Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the informant	:	Mr. Madan Kumar, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-10-2021 Heard Sri Abhishek Kumar, learned counsel appearing for the petitioners, Sri Madan Kumar, learned counsel appearing for the informant and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Nautan P.S. Case no. 349 of 2019, registered under Section 363, 366-A/34 of the Indian Penal Code.

The allegation made in the F.I.R., in brief, is that on 16.08.2019 at about 11.00 P.M., in the night, while his



daughter was sleeping alone at his house, three persons, namely, Rabindra Yadav, Mahanth Yadav and Satyendra Yadav, boarding on two motorcycles, came at his house and kidnapped his minor daughter. When the informant went to the house of said persons and made inquiry then Hirwa Devi, Chandrakali Devi and Savita Devi became furious and started hurling abuses. Thereafter, informant approached to the village Mukhiya, but they did not obey his advice then he come back to his house on 17.08.2019. It has further been alleged that on 22.08.2019, he again went to their houses, but they did not return his daughter and drove the informant away then on 24.08.2019, he came back to his home and on 25.08.2019, he lodged a written information of the alleged incidence before the Nautan P.S. On the basis of the evidence, Nautan P.S. Case No. 349 of 2019, dated 05.09.2019 has been lodged.

Learned counsel for the petitioner submits that the statement of Punita Kumari, daughter of informant, under Section 164 of Cr.P.C. has been recorded on 21.11.2019, wherein she has made statement that she is major and has performed marriage with Ravindra Yadav (Petitioner No.2) according to her sweet will. The statement recorded under Section 164 of Cr.P.C. has been brought on record, which



corroborates the statement made in paragraph-07 of the petition.

On the other hand, learned A.P.P. for the State, vehemently, opposed the prayer for grant of anticipatory bail to the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioners No. 1 to 5, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Nautan P.S. Case No. 349 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Purnendu Singh, J)

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