

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34152 of 2020

Arising Out of PS. Case No.-180 Year-2019 Thana- SHEOHAR District- Sheohar

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1. MANTU YADAV son of Gorkh Yadav Resident of Village- Ahirgamma, P.S. Harsidhi, District- Motihari.
 2. Virendra Yadav @ Bijendra Yadav son of Baiju Yadav Resident of Village- Ahirgamma, P.S. Harsidhi, District- Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-03-2021 Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Heard learned counsel for the petitioners and learned APP for the State.

The earlier anticipatory bail application of the petitioners was rejected vide Annexure 1 to the present application taking into account that the victim girl had not been recovered.

This is the second attempt made on behalf of the petitioners for grant of anticipatory bail in connection with Sheohar P.S. case No.180 of 2019, pending in the court of



C.J.M., Sheohar.

The allegation is that the accused persons kidnapped the minor daughter of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The victim girl has been recovered and her statement under Section 164 of Cr.P.C. has been recorded, wherein the victim has admitted that she has got married to one Devendra Yadav and she has been blessed with one child. The petitioners have been made accused in the present case only for the reason that they happen to be the uncle and brother of said Devendra Yadav. Further from perusal of the statement made by the victim under Section 164 of Cr.P.C., it appears that she has made no allegation of sexual or physical assault against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the fact that this is the second attempt for grant of anticipatory bail, I am not inclined to interfere in the order passed by a co-ordinate Bench of this Court.



The same is dismissed.

If the petitioners surrender before the court below and pray for regular bail, the court below shall consider the submissions made on behalf of the petitioners and pass an appropriate order in accordance with law without being prejudiced by this order. In case any regular bail application is filed on behalf of the petitioners, the same may be disposed of preferably on the same day.

(Sudhir Singh, J)

Narendra/-

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