

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37488 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- BARGAINIA District- Sitamarhi

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1. Jaylal Thakur, aged about 65 years, male, Son of Late Chalitra Thakur.
 2. Krishnandan Thakur, aged about 36 years, male, Son of Jaylal Thakur.
- Both are resident of Village- Parsauni, Police Station Bairgania, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv.
For the Informant	:	Mr. Hans Lal Kumar, Adv.
For the State	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-04-2021 Heard Mr. Anil Kumar, learned Advocate for the

petitioners and Mr. Hans Lal Kumar, learned counsel for the

informant. The State is represented by the learned APP.

The petitioners seek bail in anticipation of their

arrest in connection with Bairgania P.S. Case No. 129 of

2020, dated 22.07.2020, instituted for the offences under

Sections 363 and 366(A) of the Indian Penal Code.



The fifteen years old daughter of the informant is said to have run away with co-accused/Guddu Kumar and the petitioners who are the father and brother of aforesaid Guddu Kumar and are alleged to have assisted him in abducting the minor girl.

The learned counsel for the petitioners has submitted that an absolutely false case has been instituted against them which fact would be evident from the statement given by the victim girl under Section 164 Cr.P.C., which has been made part of the record of the bail application. The so-called victim has stated that a false case has been instituted against the petitioners. Apart from this, the petitioners have stated that because of some enmity between the two *Mukhiyas*, one being the erstwhile *Mukhiya* and the petitioners being supporters of one such person, they have been made accused in this case.

Considering the statement of the so-called victim girl under Section 164 Cr.P.C., the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to



be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Addl. Sessions Judge-cum-Special Judge, Sitamarhi in connection with Bairstonia P.S. Case No. 129 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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