

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37243 of 2020**

Arising Out of PS. Case No.-402 Year-2019 Thana- CHANPATIA District- West Champaran

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1. SANDESH PATEL ALIAS SANDESH KUMAR SON OF GOPAL PATEL  
RESIDENT OF VILLAGE- MAULANIYA, WARD NO. 09 P.S.- SIRISIA,  
DISTRICT- WEST CHAMPARAN.
2. RAMBHAROSH PRASAD SON OF SUDAMA PRASAD RESIDENT OF  
VILLAGE- MAULANIYA WARD NO. 09, P.S.- SIRISIA, DISTRICT-  
WEST CHAMPARAN

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

|                          |   |                                    |
|--------------------------|---|------------------------------------|
| For the Petitioner/s     | : | Mr. Shantanu Kumar, Advocate       |
| For the informant        | : | Mr. Bimlesh Kumar Pandey, Advocate |
| For the Opposite Party/s | : | Mr. Gauri Shankar Gupta, A.P.P     |

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

2      30-06-2021                      As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 18.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Chanpatia (Sirisia O.P) P.S. Case no. 402 of 2019, registered under Sections 363 and 366(A) of the Indian Penal Code.

The accusation is of kidnapping of minor daughter



of informant Amit Kumar by 08 persons named in the F.I.R., including the petitioners.

Learned counsel for the petitioners submits that both the petitioners are co-villagers of the informant and they have falsely been implicated in this case mere on suspicion. Further submission is that the statement of daughter of informant under Section 164 Cr.P.C. was recorded on 21.01.2020 in which she has clearly stated that her father wanted to perform her marriage forcibly due to that reasons, she left the house according to her sweet will and performed marriage with her villager Kishan Kumar in a temple in Patna and her age was also assessed as 18 years. At that time, she has not disclosed the name of both petitioners in any manner. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 at Bettiah in connection with Chanpatia (Sirisia O.P.) P.S. Case No. 402 of 2019, subject to



the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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