

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38123 of 2020

Arising Out of PS. Case No.-177 Year-2019 Thana- SINGHIYA District- Samastipur

1. RAM BHAROS SADA son of LATE ASARPHI SADA Resident of Village-Morwara, P.S.- Singhiya, District- Samastipur
2. Ranjeet Sada son of Guneshwar Sada @ Gune Sada Resident of Village-Morwara, P.S.- Singhiya, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in Singhia P.S. Case No. 177 of 2019 registered under Sections 366(A), 376(D) and 34 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons abducted daughter and grandson 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. So far petitioner no. 2 is concerned, he is not named in the F.I.R. The alleged occurrence is said to have taken place on 4.11.2019 for which the F.I.R. was instituted on 3.12.2019. The delay has not been explained by the prosecution. It is further submitted that there was love affairs between the victim and co-accused and the victim had already got married with the co-accused. It is further submitted that the victim is carrying five weeks of pregnancy also.

On behalf of the State, it is submitted that the petitioner no. 1 is named in the F.I.R. The name of petitioner no. 2 has transpired in course of investigation. The victim was recovered and her statement under Section 164 Cr.P.C. was recorded in which she had made specific allegation against the petitioners for the alleged offence.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

If the petitioners surrender in the Court below and pray for bail, the same shall be considered on its own merit without being prejudiced by this order.

Pankaj/-

(Sudhir Singh, J)

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