

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39489 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- JANTA BAZAR District- Saran

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1. MUKUND SAH @ GABBER SAH, S/o Yadunandan Sah, R/o Village- Banpura Bazar P.S.- Janta Bazar, District- Saran
 2. Ritik Gupta @ Golu Kumar, S/o Kishore Kumar, R/o Village- Banpura Bazar P.S.- Janta Bazar, District- Saran ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-07-2021 As prayed for, through video conferencing, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide it's note, dated 24.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioners seek pre-arrest bail in connection with Janta Bazar P.S. Case No. 74 of 2020, registered under Sections 363 and 366A of the Indian Penal Code.

The accusation is that the minor daughter of the informant, Taimul Nisha, was seen talking with Golu Kumar (petitioner no. 1), bhagina of Mukund Sah @ Gabbar Sah (petitioner no. 1), then, informant made complaint and also convinced her daughter. On 07.06.2020, when early in the



morning informant woke-up, then, she found the door of the house unlocked and her daughter had left the house with Adhar card, mobile and gold chain worth Rs.15,000/-. The informant claimed that her daughter has been enticed away by Golu Kumar (petitioner no. 2) for the purpose of marriage. When informant made complaint to Mukund Sah @ Gabbar Sah (petitioner no. 1), maternal uncle of Golu Kumar (petitioner no. 2), then, he assured to search her daughter.

The learned counsel appearing for the petitioners submits that mere on suspicion both the petitioners have falsely been implicated in this case. After lodging the case, the daughter of the informant was apprehended by the police and her statement was recorded under Section 164 of the Criminal Procedure Code in which she has clearly stated that due to ill-treatment of her mother she had gone to the house of her mausi from where she was taken by the police.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of arrest/surrender, within a period of four weeks from today, in connection with Janta Bazar P.S. Case No. 74 of 2020 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to



the satisfaction of the Additional Chief Judicial Magistrate, V,
Saran at Chapra, or the successor Court subject to the conditions
as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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