

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39754 of 2020

Arising Out of PS. Case No.-173 Year-2020 Thana- PANCHRUKHI District- Siwan

1. LAILA DEVI W/O JAVAK SINGH RESIDENT OF VILLAGE - JASauli MURGIYA TOLA, P.S. - PACHRUKHI, DISTRICT - SIWAN
2. JAVAK SINGH S/O ASHARFI SINGH RESIDENT OF VILLAGE - JASauli MURGIYA TOLA, P.S. - PACHRUKHI, DISTRICT - SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Jitendra Kumar
For the informant	:	Mr. Javed Aslam, Adv.
For the State	:	Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-09-2021 Heard learned counsel for the petitioners and the State through virtual mode.

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

The petitioners are apprehending their arrest in Pachrukhi P.S. Case No. 173 of 2020, registered under Sections 363 & 366A/34 376 of the Indian Penal Code.

The prosecution case, in short, is that on the alleged date of occurrence, the informant's daughter Dilkash Khatoon aged about 16 years, a student of matriculation, went to the market from the house but she did not return back by late night, then the



informant and his family members started searching Dilkash Khatoon. It is suspected that one Mantu Singh would have allured the informant's daughter with intention to marry with her. The other accused persons are said to have been involved in the occurrence of kidnapping.

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 been falsely implicated in the present case. The petitioner No. 1 is a lady. The informant has been recovered and her statement u/S 164 Cr.P.C. was recorded. In the statement of the victim recorded under Section 164 Cr.P.C. there is no allegation of sexual or physical assault alleged against the petitioners. The main allegation of physical and sexual assault is alleged against co-accused Mantu Singh.

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

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of learned Additional



Chief Judicial Magistrate-VI, Siwan in connection with Pachrukhi P.S. Case No. 173 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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