

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28169 of 2021

Arising Out of PS. Case No.-384 Year-2020 Thana- JHAJHA District- Jamui

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1. KHUBI YADAV S/O LATE YADDU YADAV R/O VILLAGE-NARGANJO, P.S-JHAJHA, DISTRICT-JAMUI.
 2. TRILOKI YADAV S/O LATE MASUDAN YADAV R/O VILLAGE-NARGANJO, P.S-JHAJHA, DISTRICT-JAMUI.
 3. SHAMBHU YADAV S/O LATE VEDU YADAV R/O VILLAGE-NARGANJO, P.S-JHAJHA, DISTRICT-JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 01-02-2022 Heard learned counsel for the parties through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Jhajha P.S. Case No.384 of 2020, registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code.

The petitioners are said to have forcibly taken away



the mother of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is submitted that the occurrence took place on 11.08.2020 but the FIR was lodged on 06.11.2020 after delay of about three months. It is further submitted that statement of the brother of the informant in para 4 of the case diary does not support the prosecution case. The brother of the informant said that he and his mother were standing at Jhajha Railway Station and he went to attend the call of nature but when he returned back, he did not find his mother standing there. It is submitted that the informant is not an eye witness rather she is a hearsay witness. It is further submitted that the petitioners have got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts aforesaid, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned



C.J.M., Jamui in connection with Jhajha P.S. Case No.384 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

Sanjay/-

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