

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33343 of 2021

Arising Out of PS. Case No.-475 Year-2020 Thana- JOGAPATTI District- West Champaran

1. SUDAMA YADAV S/o Late Harihar Yadav R/o village- Piparahiya, P.S.- Jogapatti (Nawalpur), District- West Champaran
2. Marachhiya Devi @ Marachhi Devi W/o Sudama Yadav R/o village- Piparahiya, P.S.- Jogapatti (Nawalpur), District- West Champaran

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-01-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. 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 a case registered for the offences punishable under Sections 363, 366A & 372/34 of the Indian Penal Code.

The accusation is that all the F.I.R. named accused including these petitioners are said to have kidnapped the



daughter of the informant with ill motive when she went to attend natural call. They tried to confine her in the house of Sudama Yadav.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case as they are father and mother of co-accused, Mantu Kumar. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The specific allegation is against co-accused, Mantu Kumar. There is inordinate and abnormal delay of 11 days in lodging the present F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. 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 six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Jogapatti (Nawalpur) P.S. Case No.475 of 2020,



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

(Anjani Kumar Sharan, J)

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