

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39330 of 2020

Arising Out of PS. Case No.-36 Year-2020 Thana- KIUL District- Lakhisarai

1. UTTAM KUMAR Son of Tunni Yadav Resident of village - Gordih, P.S. - Kiul, District - Lakhisarai
2. Siromani Devi Wife of Tunni Yadav Resident of village - Gordih, P.S. - Kiul, District - Lakhisarai
3. Tunni Yadav Son of Fakira Yadav Resident of village - Gordih, P.S. - Kiul, District - Lakhisarai
4. Rahul Kumar Son of Tunni Yadav Resident of village - Gordih, P.S. - Kiul, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 363/366(A) of the Indian Penal Code.

Allegation against the petitioners is that they



kidnapped the daughter of the informant when she had gone for natural call.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that co-accused Lalan Kumar Yadav has love affair with the victim for long time, therefore, this matter relates to totally love affairs. He submits that the victim recovered on 29.06.2020, produced before the learned Judicial Magistrate, Lakhisarai and her statement was also recorded under Section 164 Cr.P.C. in which she stated that nobody had kidnapped me and I was willfully married with Lalan Kumar. This fact has also come in para-65 of the case diary and age of the victim was also assessed by the doctor to be 18-20 years. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of the case, the above named petitioners 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 bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two



sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kiul P.S. Case No. 36 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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