

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49244 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

CHANDAN SINGH @ HIMANSHU RAJ Son of Late Kamakhya Narayan
Singh Resident of Village - Ramsapur, P.S.- Daraunda, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49821 of 2022

Arising Out of PS. Case No.-314 Year-2021 Thana- SIWAN MUFFASIL District- Siwan

1. MUNNI DEVI W/o Kamakhya Nanarayan Singh Resident of Ward No. 10,
Kashi Bazar, Main Road, P.S.- Chapra, District- Saran
2. Puja Kumari D/o Kamakhya Narayan Singh Resident of Ward No. 10, Kashi
Bazar, Main Road, P.S.- Chapra, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49244 of 2022)

For the Petitioner/s : Mr.Rama Kant Sharma, Sr. Adv.
Ms. Kshama Sharam

For the Opposite Party/s : Mr.Yogendra Kumar

(In CRIMINAL MISCELLANEOUS No. 49821 of 2022)

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 12-01-2023 The learned counsel for the petitioners is directed to

remove all the defects pointed out by the office within one

month.

Heard Mr. Rama Kant Sharma, the learned Senior



counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 314 of 2021, registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

As per allegation, the accused persons, including the Nandan Singh and Chandan Singh had kidnapped the minor daughter of the informant.

The learned Senior counsel Mr. Sharma has submitted that, as a matter of fact, there was love affair between Nandan Singh and the daughter of the informant. Both were juvenile. The FIR itself shows that she herself came out of her house, after hearing the call bell. The petitioners are the parents and brother, sister and mother of Nandan Singh and the alleged victim has falsely implicated the petitioners in this case at the pressure of her parents. He has further submitted that she, in her statement under Section 164 of the Code of Criminal Procedure, has stated that Nandan Singh is innocent and she requested the investigating authority in her statement to release Nandan Singh as soon as possible.

The statement of the victim itself shows that she has



exonerated the main accused Nandan Singh and implicated the petitioners, who are family members of Nandan Singh.

Considering the above-mentioned facts and circumstances, the petitioners above-named, in the event of their arrest or surrender, within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil (Mahadeva) P.S. Case No. 314 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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