

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70961 of 2022

Arising Out of PS. Case No.-14 Year-2021 Thana- SHAHKUND District- Bhagalpur

1. Soni Devi Wife of Gujral Mandal @ Ashish Mandal Resident of Village- Matadih Paharpur, P.S.- Dharhara, District- Munger, At Present Residening of Village- Janipur, P.S.- Sahkund, District- Bhagalpur
2. Shivu Mandal @ Shivrindan Mandal Son of Late Sugdeo Mandal Resident of Village- Matadih Paharpur, P.S.- Dharhara, District- Munger, At Present Residening of Village- Janipur, P.S.- Sahkund, District- Bhagalpur
3. Manoj Yadav Son of Sri Bhagawat Yadav Resident of Village- Matadih Paharpur, P.S.- Dharhara, District- Munger, At Present Residening of Village- Janipur, P.S.- Sahkund, District- Bhagalpur
4. Dablu Mandal @ Devdatt Kumar Son of Dhaneshwar Mandal Resident of Village- Matadih Paharpur, P.S.- Dharhara, District- Munger, At Present Residening of Village- Janipur, P.S.- Sahkund, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2023 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), as pointed out by the office, be removed within a period of four weeks from today.

The accused/petitioners are named in F.I.R. and apprehending their arrest in connection with Sahkund P.S. Case No. 14 of 2021, registered for the offences punishable under Sections 366-A and 34 of the Indian Penal Code.



The allegation against above named petitioners is to kidnap the daughter of informant for the purpose of illicit intercourse/marriage.

Learned counsel appearing on behalf of the petitioners submitted that above named petitioners are the sister and relatives of main co-accused, namely, Kanhaiyalal Mandal and for the same, they were implicated in present case, where the thrust of allegation is available against Kanhaiyalal Mandal. It is further pointed out that victim in her statement, recorded under Section 164 of the Cr.P.C., specifically stated that she solemnized her marriage with co-accused, Kanhaiyalal Mandal out of her own sweet will and not even mentioned anything incriminating against these petitioners, as regard to involvement in present occurrence. While concluding the argument it is submitted that petitioners are of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as petitioners are implicated only being the relative of the main co-accused, Kanhaiyalal Mandal, who alleged to kidnap the daughter of informant accordingly, above named petitioners, in the event of their arrest or surrender before the Court below, are directed to be released on bail furnishing bail bond of Rs.



10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Bhagalpur/concerned Court, where the case is pending in connection with Sahkund P.S. Case No. 14 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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