

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10982 of 2015

Arising Out of PS.Case No. -84 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Munna Sharma son of Sri Baijnath Sharma @ Baidyanath Sharma
 2. Smt. Saroj Devi son of Munna Sharma
 3. Sobha Kumari daughter of Sri Nemchand Sharma resident of village -
Tewtha P.S. Maharajganj, Dist - Siwan.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Mithilesh Kumar

For the Opposite Party : Mr. Sanjay Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-03-2015 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner No. 3 namely Sobha Kumari as petitioner No. 3 has been declared juvenile in conflict with law.

Permission is accorded.

Accordingly the application with regard to petitioner No. 3 namely Sobha Kumari is permitted to be withdrawn.

Petitioner Nos. 1 and 2 are languishing in custody since 27.10.2014 in a case registered for the offences punishable under Sections 366A/34 of the I.P.C and Section 6 of Protection of Children From Sexual Offences Act. Subsequently Section 376 of the I.P.C was also added.

The accusation is of kidnapping the minor



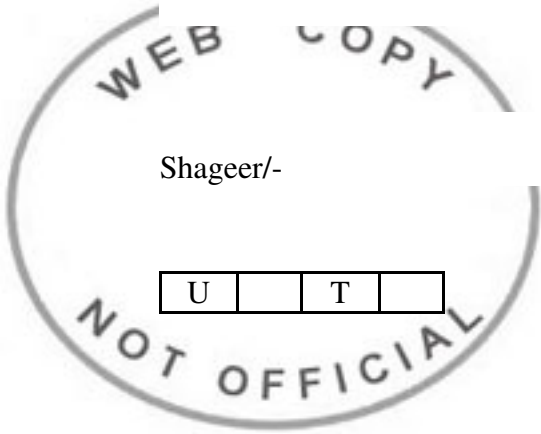
daughter of the informant. The victim in her 164 Cr.P.C statement has stated that she went outside to ease out in the company of her sister-in-law Neeraj and minor daughter of petitioner Nos. 1 and 2 namely Sobha Kumari. In the meantime the petitioner No. 1 who was driving the vehicle came along with Sandeep when Sandeep, by pressing her mouth put her in the vehicle and thereafter Sandeep established forceful physical relationship. Subsequently petitioner No. 1 left Sandeep and the victim alone. On 23.04.2014 Sandeep dropped the victim at Duraunda Railway Station and from there the police, on being telephoned by the public, recovered her.

It is submitted by learned counsel for the petitioners that petitioner Nos. 1 and 2 are the parents of main accused Sandeep and the thrust of accusation is against Sandeep. Though the victim in her 164 Cr.P.C statement alleged that petitioner No. 1 was driving the vehicle through which she was abducted but it appears unreasonable that father will assist her son in abducting the girl.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the fact that thrust of accusation is against Sandeep, let the petitioners, above named, except petitioner No. 3, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of

learned Special Court, Siwan in connecton with Maharajganj
P.S. Case No. 84 of 2014.



(Dinesh Kumar Singh, J)