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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20187 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -GOGRI District- KHAGARIA

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1. Banti Yadav S/o Naresh Yadav
2. Piush Kumar S/o Ajay Yadav
3. Akhilesh Kumar S/o Anil Yadav
4. Santosh Kumar S/o Sanjay Yadav

All Resident of Village Bhuria Diara, P.S. Gogri, District Khagaria.

5. Umesh Yadav S/o Bhupendra Yadav R/o Village Piparpati, P.S. Kharik, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Opposite Party/s : Smt. Meena Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 23-07-2015 By order dated 28.5.2015, it appears that petitioner no.4 Santosh Kumar has been arrested and this application as against him has already become infructuous.

Heard learned counsel for the petitioners and the learned counsel for the State.

Petitioner Nos.1 to 3 and 5 are apprehending their arrest in connection with Gogri P.S. Case No.108 of 2015 for allegedly having committed the offences under Sections 147, 148, 149, 120B, 363 and 365 of the Indian Penal Code.

Learned counsel for the petitioners submits that though there is specific allegation against these petitioners of having kidnapped the victim boy and taking him for the

purposes of marriage, it is not stated in the F.I.R. as to whether and to whom the marriage was purported to have been solemnized. Even in the statement of the victim boy under Section 164 Cr.P.C., he does not disclose the name of any of the family members of the girl by whom he is said to have been forcibly made to marry.

Considering the vague nature of the allegations and the farfetched statement made under Section 164 of the Cr.P.C. and that the petitioners have no criminal antecedents, let the above named petitioner Nos.1 to 3 and 5, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, in connection with Gogri P.S. Case No.108 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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