

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25186 of 2014

Arising Out of PS.Case No. -465 Year- 2013 Thana -MAHUA District- VAISHALI(HAJIPUR)

=====

1. Dharmnath Rai @ Dharmnath Kumar Rai
2. Amarnath Rai
Both Sons of Ram Lali Rai Resident of Village - Mahua Singh Rai, P.O. +
P.S. - Mahua, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha

For the Opposite Party/s : Mr. Madan Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 05-01-2015 Heard learned counsel for the petitioners and learned
counsel representing the State.

Petitioners apprehend their arrest in connection with
Mahua P.S. Case No. 465 of 2013 registered for the offences
punishable under Sections 363, 365, 452/34 of the Indian Penal
Code.

Allegedly, after pointing something on the temporal
region of the informant his minor daughter was kidnapped and
accordingly, information was given to the Police Station and the
case was registered against unknown. The victim girl has been
recovered and she in her statement recorded under Section 164
Cr.P.C. has alleged regarding her kidnapping by six persons out of

whom she has identified four. Earlier also she was kidnapped wherein she has given her statement under Section 164 Cr.P.C. and expressed her willingness to live with Vinay Kumar and it is submitted that Vinay Kumar has married with the daughter of the informant who is major one.

Learned counsel for the petitioners submits that the petitioners are brothers of Vinay Kumar. After recovery of the victim girl Cr. W.J.C.No. 281 of 2014 has also been disposed of and the victim girl is living with the family of Vinay Kumar in her Sasural and the petitioners being the brothers of that Vinay Kumar having no role deserve sympathetic consideration to which the learned counsel appearing on behalf of the informant opposes by pointing out that earlier the victim girl has filed petition before the learned C.J.M., Vaishali at Hajipur making allegation against these petitioners also regarding their hands in kidnapping.

The victim girl is present in the court and she states that she is living with the family of Vinay Kumar and her age has been assessed between 17-19 years by the Medical Board and from the court of C.J.M., Vaishali, she has been released to go to the place of her own choice after attaining majority and now she is residing in her sasural.

Be that as it may, considering the limited role of the

petitioners and further the victim girl is residing with the family of Vinay Kumar, the petitioners Dharmnath Rai @ Dharmnath Kumar Rai and Amarnath Rai are directed to be released on anticipatory bail in the even of their arrest or surrender within one month from the date of receipt/production of a copy of this order on execution of 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, Vaishali at Hajipur in connection with Mahua P.S. Case No. 465 of 2013, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--