

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38134 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prayag Das S/o Late Raghunath Das
 2. Phulena Das S/o Late Ramayan Das
 3. Rajendra Das @ Rajendra Sah S/o Jokhan Das.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-09-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case
registered for the offences punishable under sections 363 and
366A/34 of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of the
informant. In 164 Cr.P.C. statement of the victim was recorded
on 05.06.2015 wherein she has alleged that she was being
kidnapped by five persons including the petitioners and on
alarm being raised she was saved by the villagers from their
captivity.

It is submitted by learned counsel for the petitioners

that the victim filed an application before the learned court below on 04.06.2015 to the effect that she was not kidnapped by anyone in fact she of her own went in the company of Manoj Ram and performed marriage with him in a temple.

The inconsistency between the petition and 164 Cr.P.C. statement of the victim and in the medical examination the victim was found to be 17 ½ and 18 ½ years of age constitute ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioners, if the petitioners surrender within a period of six weeks in connection with Motihari Muffasil P.S. Case No.133 of 2015, pending before the learned SDJM, Sadar, Motihari, East Champaran.

With the above observation, this application is, accordingly, disposed off.

Ashwini/-

(Dinesh Kumar Singh, J)

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