

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39621 of 2015

- =====
1. Madan Prasad Singh @ Madan Singh
 2. Manoj Kumar Singh @ Manoj Kumar
 3. Pawan Kumar @ Pawan Singh All are S/o Ramjee Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-09-2015

Heard.

The present application has been filed for modification of the order dated 23.07.2015 passed in Criminal Miscellaneous No.28356 of 2015 to the extent of extending the date of production of victim girl till adequate police protection is being provided.

The petitioners were granted provisional anticipatory bail in connection with Sarai P.S. Case No.41 of 2015, pending before the learned CJM, Vaishali at Hajipur, registered for the offences punishable under sections 363/366 and 120B of the Indian Penal Code on the undertaking to get the victim girl produced before the court below on 25.08.2015.

Accusation is of kidnapping the daughter of the

informant.

It is submitted by learned counsel for the petitioner that the petitioners being father and uncles of Prince Kumar tried their level best to get the victim girl produced before the learned court below on 25.08.2015, but since the victim girl performed marriage of her own with Prince Kumar she is apprehensive of her life.

The initial order stipulates that if any application is being filed for providing security to the victim girl then the court below will issue appropriate direction for providing security to the girl. But the learned counsel for the petitioners fails to state that whether such an application has been filed before the learned court below or not ? The modification application stipulates that the victim girl is residing at Sikandarabad with Prince Kumar as his wife.

Under the circumstances, the order dated 23.07.2015 is modified only to the extent that the petitioners shall get the victim girl produce before the learned court below on 30th October 2015.

In the meantime, if the petitioners file any application before the learned court below for providing security to the victim girl, then the learned court below will issue appropriate direction

for providing security to the girl. On production of the victim girl, learned court below will record her statement. In her statement, if she admits that she performed marriage with Prince Kumar of her own, then the petitioners' provisional bail shall be confirmed by the learned court below. But if she does not admit the performance of marriage with Prince Kumar of her own, then the petitioners shall surrender and pray for regular bail.

It is made clear that no further modification application shall be entertained before this court.

Accordingly, the modification application is disposed of.

(Dinesh Kumar Singh, J)

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