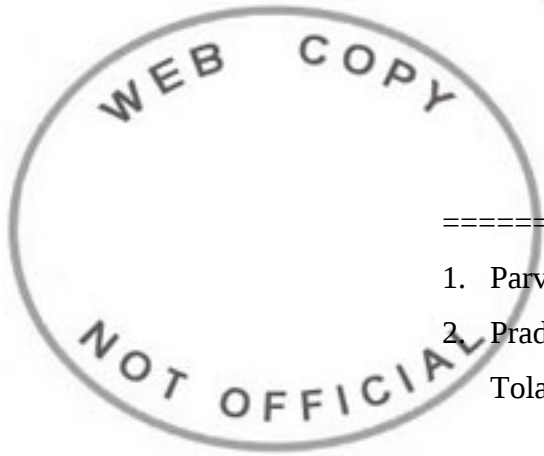




IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45084 of 2015

Arising Out of PS.Case No. -168 Year- 2015 Thana -GOVINDGANJ District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Parvez Alam @ Lalu S/o Md. Amin Miyan R/o Dudhati Kothhi
2. Pradeep Baithha @ Musa S/o Ganesh Baithha R/o Harsidhhi (Dhobi Tola), Both P.S. Harsidhhi, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Ahmad Ali(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 15-10-2015 Learned counsel for the petitioners is permitted to make necessary correction in paragraph 1 of the petition.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 366 and 366A of the Indian Penal Code.

The prosecution case is that the daughter

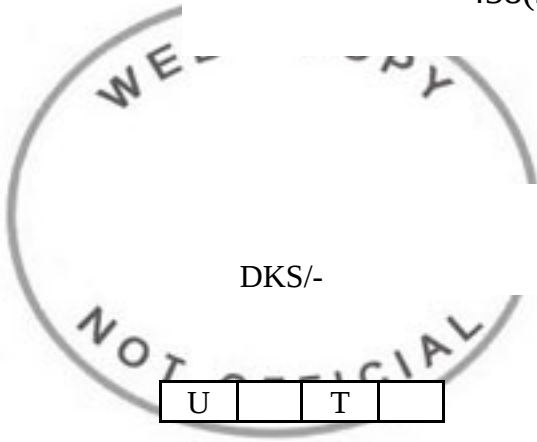
of the informant was kidnapped by the accused persons.

It is submitted by learned counsel for the petitioners that the victim in 164 Cr.P.C. statement has got her age recorded as 19 years when the court has assessed as 20 years where she has stated that since her parents wanted to marry her with an old person, hence, she married with petitioner no. 1 Parvez Alam and she wants to stay with her in-laws. It is further submitted that in view of the 164 Cr.P.C. statement of the victim no offence under Section 366 or 366A IPC is made out. Moreover, the victim has not named petitioner no. 2.

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

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Gobindganj (Malahi) P.S. Case No. 168

of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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