

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.47093 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Birendra Rai Son of Ram Bachhan Rai,
2. Saheb Rai @ Saheb Kumar, Sons of Bachhan Rai, Both residents of
village - Bhimalpur, P.s. - Mehshi, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dashrath Mehta (APP)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-10-2015

Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioners apprehend their arrest in
connection with Mehasi P.S. Case No. 89 of 2015 registered under
Sections 363(A), 366(A), 34 of the I.P.C. and section 3(i) (x) of
the S.C./S.T. (prevention of atrocities) Act.

The accusation is of kidnapping of Anuradha
Kumari, daughter of the informant, by Ranjeet Kumar, Papu
Kumar and petitioners along with two unknown for the purpose of
marriage.

Learned counsel appearing on behalf of the
petitioners submits that in fact, there was love affairs in between
the co-accused Ranjeet Kumar and victim Anuradha Kumari @

Anu Kumari and both left the house according to their sweet will and performed marriage, but due to ulterior motive, the informant, who is mother of the victim has lodged this false case against the petitioners. It is also submitted that statement of the victim, daughter of the informant, Anuradha Kumari @ Anu Kumari, was recorded under section 164 Cr. P.C. in which she has clearly stated that she is leading her conjugal life peacefully, as husband and wife after performing the marriage saying that she was not kidnapped and her age was also assessed by the Court below as 20 years.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender within six weeks, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Motihari, East Champaran in connection with Mehasi P.S. Case No. 89 of 2015, subject to the conditions laid down under Section 438(2) Cr. P.C.

(Rajendra Kumar Mishra, J.)

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