

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53303 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -JANTA BAZAR District- SARAN

- =====
1. Uma Kuwar wife of Late Raj Narayan Tiwari
 2. Punam Devi Daughter of Late Raj Narayan Tiwari
 3. Sanjiv Tiwari @ Sanjit Kumar Tiwari son of Late Nand Lal Tiwari

All resident of village- Harpur Chhatwa, P.S. Baniyapur, District- Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 23-11-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 493, 494, 497, 498, 363, 379 and 120B of the Indian Penal Code.

The prosecution case is that one Jiwan Tiwari and Vijay Prasad attempted to outrage the modesty of the wife of the informant and subsequently they kidnapped her. The petitioners being the grand mother, parental aunt and brother of

Jiwan Tiwari assisted Jiwan Tiwari to commit the offence.

It is submitted by learned counsel for the petitioners that the petitioners have been roped in only because they happen to be the family members of Jiwan Tiwari. The victim in her statement recorded under Section 164 Cr.P.c. got her age recorded as 18 years when the court has assessed as 20 years where she has stated that since she was tortured by her husband she has married with Jiwan Tiwari and she wants to reside with Jiwan Tiwari. The statement of the victim recorded under Section 164 Cr.P.C. has been brought on record as Annexure-2.

Considering the 164 Cr.P.C. statement of the victim, 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 Additional Chief Judicial Magistrate, Saran at Chapra in connection with Janta Bazar P.S. Case No. 55 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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