

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55625 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -ALOULI District- KHAGARIA

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1. Ravindra.
 2. Ram Kumar Yadav.
 3. Gulo Yadav.
 4. Mina Devi.
 5. Sanju Devi.
 6. Rubi Devi.
 7. Sanjay Yadav.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-12-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366A 367, and 376/34 of the Indian Penal Code.

The prosecution case is that the minor daughter of the informant was eloped with Sunil Rajak with rupees one lac cash. In 164 Cr. P.C. statement, the victim got her age recorded as 16 years when the court assessed her age as 16 years whereas the medical board assessed her as age between 16 to 17 years. In 164 Cr. P.C. statement, the victim has stated that co-accused Usha Devi persuaded the her to go in company of Sunil Rajak. It is alleged against the petitioners that they assisted Usha Devi in

going the victim in the company of Sunil Rajak when Sunil Kumar took her to Karnal where he ravished the victim.

It is submitted by learned counsel for the petitioners that even assuming the 164 Cr. P.C. statement of the victim, the accusation is neither made out under Section 366A IPC nor Under Section 376 IPC against the petitioners. Moreover, the informant has retracted from his initial version and filed a petition to that effect before the learned court below. A statement has been made in para 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 arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Khagaria in connection with Alouli P.S. Case No. 158 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

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(Dinesh Kumar Singh, J)