

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21539 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -BARHARIA District- SIWAN

1. Lakhan Sah @ Lakhan Kumar Sah Son of Nanhu Sah
2. Kalawati Devi wife of Nanhu Sah
3. Nanhu Sah son of Late Motilal Sah

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 363/366A/120B of the Indian Penal Code.

Accusation is of kidnapping the minor daughter of the informant.

Certified copy of 164 Cr.P.C. statement of the victim is produced, let it be kept on record. In 164 statement, the victim got her age recorded as 16 years and has stated that she was taken to the Bajrang road about by petitioner no.2 Kalawati Devi and from where petitioner no.1 Lakhan Sah and the victim travelled in a bus. Petitioner no.1 Lakhan Sah took her to Nasik and left her in the company of one Amir. Subsequently, Amir took her back.

It is submitted by learned counsel for the petitioners that the victim has not alleged any misbehave against these petitioners.

Considering the fact that the victim was minor and has named petitioner nos. 1 and 2, this court is not inclined to grant anticipatory bail to them.

Let the learned Court below consider the prayer for regular bail of petitioner nos. 1 and 2, if they surrender within a period of six weeks.

So far as petitioner no.3 is concerned, in 164 Cr.P.C statement the victim has not named him, let him 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) with two sureties of the like amount each to the satisfaction of the Barharia P.S. Case No.28 of 2015 in connection with learned Chief Judicial Magistrate, Siwan, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--