

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38768 of 2015

Arising Out of PS.Case No. -186 Year- 2005 Thana -KISHANGANJ District- KISANGANJ

1. Lekhraj @ Letharaj, s/o- Parmanand
2. Parmindra Sharma @ Praminder Sharma @ Monu @ Balbindar Pal @ Balwinder Pal, s/o Lekhraj @ Letharaj resident of Village- Guru Amar Das Colony, Narayangarh Chehrata, P.S.- Chehrata, District- Amritsar (Punjab).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Ashok Kr.Singh 1(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 06-11-2015 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners are named and it appears from the first information report as well as statement of victim, Radha Kushwaha that prior to institution of the present case, the victim, Radha Kushwaha had eloped from her home and a case was lodged against the petitioner no. 2 and others but subsequently, victim, Radha Kushwaha returned back to her home. Furthermore, victim, Radha Kushwaha in her statement recorded under Section 164 of the Cr.P.C. made allegation of sexual harassment against the informant of the present case who happens to be her father. So far as second victim, namely, Nitu Kushwaha is concerned, she

stated that she was kidnapped by the petitioners with the help of her sister, namely, Radha Kushwaha and after that she was taken at different places where she was raped by petitioner no. 2 and others but anyhow, she could be returned to her home.

It is obvious that petitioner no. 1 is father of petitioner no. 2 and it appears to be unbelievable that father and son will together kidnap two girls. Moreover, taking note of contradiction of statement of both the victims, I think it proper to release the petitioners on bail and accordingly, petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Kishanganj in connection with Sessions Trial No. 307 of 2015 arising out of Kishanganj P.S. Case No. 186 of 2005.

(Hemant Kumar Srivastava, J)

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