

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34077 of 2014

Arising Out of PS.Case No. -159 Year- 2014 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Baban Ray @ Baban Ram
 2. Munna Ray @ Munna Ram Both sons of Gautam Ray @ Gautam Ram
 3. Gautam Ray @ Gautam Ram Son of Late Dhukhan Ray
 4. Gyanti Devi @ Jayanti Ram Wife of Gautam Ray @ Gautam Ram All residents of village - Shankarpur, Police Station - Bhagwanpur Hat, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Ansuaiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 12-02-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as also heard learned counsel, appearing for the informant.

Petitioners apprehend their arrest in connection with Maharajganj P.S. Case No. 159 of 2014 registered for the offence under Sections-366(A)/34 of the Indian Penal Code.

The statement of the victim was recorded u/S 164 of the Code of Criminal Procedure, in which, she completely denied the story of abduction rather she stated that she voluntarily, solemnized her marriage with co-accused, Tunna. Admittedly, petitioners are family members of co-accused, Tunna and nothing

has been stated by the victim against these petitioners.

Learned counsel, appearing for the informant submits that the victim was minor at the time of alleged occurrence but from perusal of Annexure-3 to this petition, I find that when the victim was examined by the Medical Board, she has been found between 16-17 years of age and moreover, at the time of recording her statement u/S 164 of the Cr. P.C. the victim disclosed her age as 18 years.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, let the petitioners named above, in the event of their arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Maharajganj P.S. Case No. 159 of 2014 to the satisfaction of Chief Judicial Magistrate, Siwan subject to conditions as laid down u/S 438(2) of the Cr. P.C.

A.K.V./-

(Hemant Kumar Srivastava, J)

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