

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23483 of 2015

Arising Out of PS.Case No. -360 Year- 2011 Thana -DANAPUR District- PATNA
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1. Shashikala Devi Wife of Jitendra Mandal
2. Aruna Devi Wife of Upendra Mandal Both residents of Mohalla -
Basant Bihar Colony, Raghunath Path (Bailey Road), P.S. Danapur,
District - Patna

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 10-07-2015 Heard both sides.

The petitioners apprehend their arrest in registered for the offences punishable under Sections 363, 365 and 120B of the Indian Penal Code.

The father of the victim made allegation that the petitioners and others kidnapped his daughter, but the police after investigation submitted final form finding the case to be false. The victim also made her statement under Section 164 of the Cr.P.C. and disclosed that her father was treating her step motherly, she got step mother and that is why she left her house. Nobody has kidnapped her.

On the other learned counsel for the informant submits

that the statement under Section 164 of the Cr.P.C. is made under duress of the petitioners and others. The victim has got no step mother rather her own mother is alive.

There appears that the victim is a major girl and she made her statement under Section 164 of the Cr.P.C. before the learned Judicial Magistrate and stated that she was not kidnapped by anybody rather she left her house after being subjected to different sorts of cruelty by her parents.

Considering the facts aforesaid, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in Danapur P.S. Case No. 360 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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