

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47192 of 2015

Arising Out of PS.Case No. -268 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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1. ASHISH KUMAR @ RAJA KUMAR, SON OF DHIRENDRA KUMAR AMBASTHA @ DHIRENDRA KUMAR VERMA, RESIDENT OF VILLAGE AAZAD NAGAR GANJ, P.S.-BAKHTIAYARPUR, DISTRICT-SAHARSA.
 2. KUMARI PUJA @ SHILPI @ SHILPI KUMAR, WIFE OF RAHUL ROY, RESIDENT OF VILLAGE-RAGHUNNATHPUR, P.S.-BARIYARPUR, DISTRICT-MUNGER.
 3. NIKITA KUMARI, WIFE OF AMIT KUMAR LAL @ RINKU LAL, RESIDENT OF KAHALGAON LALA TOLA, P.S.-KAHALGAON, DISTRICT-BHAGALPUR.
 4. RANJU DEVI, WIFE OF DHIRENDRA KUMAR AMBASTHA @ DHIRENDRA KUMAR VERMA.
 5. DHIRENDRA KUMAR AMBASTHA @ DHIRENDRA KUMAR VERMA SON OF LATE SARYUG PRASAD. BOTH ARE RESIDENT OF AZAD NAGAR GANJ, P.S.-BAKHTIAYARPUR, DISTRICT-SAHARSA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. P.K.Chaurasia(App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 16-10-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Baktiyarpur P.S. Case No. 268 of 2015 registered under Sections 363, 366(A) and 372/34 of the Indian Penal Code and Section 3 of the POCSO Act.

The accusation is of kidnapping of Rani Kumari,

daughter of informant, Kunti Devi, by petitioner no.1, Ashish Kumar @ Raja Kumar, along with his three family members under conspiracy.

Learned counsel for the petitioners submits that, in fact, there was love affairs between the petitioner and Rani Kumari, daughter of informant, and she moved from her house with petitioner no.1 according to her sweet will and performed the marriage in Temple and also leads conjugal life. It is further submitted that statement of the victim has been recorded on 22.07.2015, under Section 164 of the Cr.P.C., in which, she has clearly stated about moving from her house with the petitioner no. 1 and performed the marriage in Temple and leading conjugal life since 21.07.2015 but due to ulterior motive informant lodged this case against the petitioners. It is further submitted that the age of the victim has been ascertained as 18 years.

Considering the aforesaid submissions, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-I, Saharsa, in connection with Bakhtiyarpur P.S. Case No. 268 of

2015, subject to the condition as laid down under Section 438(2)
of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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