

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26910 of 2015

Arising Out of PS.Case No. -15 Year- 2015 Thana -BABUBARHI District- MADHUBANI

- =====
1. Ram Chandra Raut @ Ram Chandr Raut Son of Janak Raut,
 2. Suresh Raut Son of Ramchandra Raut @ Ramchandra Raut Singh,
 3. Jite Raut @ Jitendra Singh son of Shiv Chandra Raut, resident of Village- Beldarhi, P.S.- Babubarhi, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Ashraf Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 26-11-2015 Heard learned counsel for the petitioner, learned
Additional P.P. as well as learned counsel for the informant.

The petitioners apprehend their arrest in Babubarhi
P.S. Case No. 15 of 2015, registered for the offences punishable
under Sections 366A, 376, 365, 363 and 498A of the Indian Penal
Code and ¾ of the POCSO Act.

The informant (father of the victim) filed a complaint
case on the basis of which the present FIR was lodged. The
informant alleged that her daughter Dukhani Devi was married
with Suresh Raut and his brother Ganesh Raut is alleged to come
to the house of the informant and he developed intimacy with his
minor daughter Mithilesh Kumari. It is further alleged that all the

accused persons kidnapped Mithilesh Kumari. Ganesh Raut and Suresh Raut also established physical relation with her.

Learned counsel for the petitioners submits that the victim Mithilesh Kumari made her statement under Section 164 of the Cr.P.C. and she herself disclosed that on the pretext of marriage Ganesh Raut established physical relation with her. Petitioners are father, brother and relative of Ganesh Raut.

Learned counsel for the informant submitted that the victim is still ready to live with Ganesh Raut.

The petitioners are father, brother and relative of Ganesh Raut and there is no allegation against the petitioners that they ever persuaded Mithilesh Kumari to have physical relation with Ganesh Raut, rather Mithilesh Kumari herself stated that Ganesh Raut established physical relation with her on the pretext of marriage.

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 anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,

Madhubani in connection with Babubarhi P.S. Case No. 15/2015,
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Prabhat Kumar Jha, J.)

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