

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19148 of 2015

Arising Out of PS.Case No. -97 Year- 2014 Thana -MOTIHARI TOWN
District- EAST CHAMPARAN(MOTIHARI)

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1. Wakil Rai, son of Gangaram Rai
 2. Gangaram Rai, son of Ram Bachhan Rai
 3. Parvati Devi, wife of Gangaram Rai
- All are residents of Village- Laukhan Tola Kashba,
P.S.- Ghora Sahan, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners : Mr. Sunil Kumar No.III, Advocate
Mr. Rajesh Kumar, Advocate
For the State : Mr. Smt.Asha Devi (APP)
For the Informant : Mr. Bipin Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 29-09-2015 Heard learned counsel for the petitioners and the learned

counsel appearing on behalf of the informant as well as the learned

counsel for the State.

In the complaint case lodged by the father of one Priti Kumari, it was alleged that the petitioners along with the brother of Petitioner No.1 had kidnapped the daughter of the complainant Priti Kumari and had concealed her with bad intention and further the complainant apprehended that she could even be done to death.

It had been submitted that both the boy and girl were traceless and despite much efforts, the father/informant had not been able to locate them.



In view of the fact that the entire family of Ranjeet Kumar alias Sonu was arrayed in the category of accused persons for having kidnapped the victim girl Priti Kumari (daughter of the informant), Petitioner No.1 Wakil Rai, who is the brother of accused Ranjeet Kumar alias Sonu, and Petitioner Nos.2 and 3, who are father and mother of accused Wakil Rai (Petitioner No.1), are apprehending their arrest in connection with Motihari Town P.S. Case No.97 of 2014 (G.R. Case No.874/2014) registered under Sections 364 and 120B/34 of the Indian Penal Code.

Earlier, the matter was heard on 22.9.2015 wherein after some arguments, learned counsel for the petitioners submits that he was willing to produce the girl in question, but he was extremely apprehensive that anything could happen to Ranjeet Kumar alias Sonu as well as Priti Kumari, who was also having a baby girl child of about 7-8 months.

This Court, after considering the entire facts and circumstances, directed that both Priti Kumari and her husband Ranjeet Kumar alias Sonu be made to appear before this Court with the assistance of Senior Superintendent of Police, Patna and accordingly they have appeared before this Court. It was also directed that the informant shall also be present, but due to some unforeseen circumstances, he has not appeared, but instead the

maternal grandfather, namely, Raj Mangal Prasad Yadav of the victim girl Priti Kumari has appeared.

The girl in question is admittedly a major and has categorically stated that she had married Ranjeet Kumar alias Sonu of her own sweet-will and had not been kidnapped. She submits clearly that they are living in harmony and wishes to continue to do so.

Since after much deliberations it has appeared that Priti Kumari and Ranjeet Kumar alias Sonu have married and have been blessed with a baby girl child and are living peacefully with the assistance of his family members, namely, Petitioner Nos.1, 2 and 3, let all the three petitioners, named above, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town P.S. Case No.97 of 2014 (G.R. Case No.874/2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This Court has also observed that the maternal

grandfather Raj Mangal Prasad Yadav has assured this Court that he will encourage his son-in-law, the informant of the present case, to extend all co-operations so that the husband of Priti Kumari as well as Priti Kumari may lead their lives without any fear hanging over their heads.

Since it has been informed that both Priti Kumari and her husband Ranjeet Kumar alias Sonu are also pursuing their studies and they have qualified in various competitive examinations, it would be advisable and in the interest of justice that further co-operation be extended by the informant so that they may be able to further their respective goals and as such take appropriate action for ending the disputes between the parties.

(Anjana Mishra, J)

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