

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35565 of 2015

Arising Out of PS.Case No. -117 Year- 2012 Thana -PALANWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Punit Paswan Son of Jagarnath Paswan resident of Village- Pakhanahiya, police station -Palanwa, District East Champaran.
 2. Chanda Devi W/o Punit Paswan resident of Village- Pakhanahiya, police station -Palanwa, District East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 03-09-2015

Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 376, 366, 366A, 323 and 504/34 of the Indian Penal
Code.

The accusation is of kidnapping the minor
daughter of the informant by the son of the petitioners, Dhiraj.

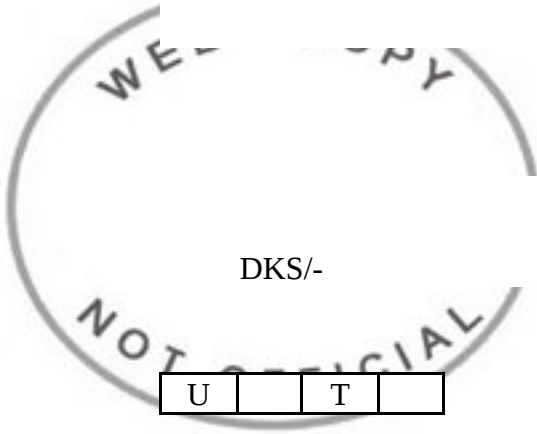


It is submitted by learned counsel for the petitioners that the petitioners have been roped in only because they happen to be the parents of main accused Dhiraj. In 164 Cr.P.C. statement the victim has got her age recorded as 20 years when the court has assessed as 15 years where she has stated that Mohan Paswan enticed away and got her married with Dhiraj, who established physical relationship with her. In 164 Cr.P.C. statement the victim has named petitioner Punit Paswan, though, she has stated that she was kept in the house of the petitioners. It is further submitted that the victim has not levelled any overt act against these petitioners.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the thrust of accusation against Dhiraj, who has been granted bail vide Cr. Misc. No. 46306 of 2013, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Raxaul at Motihari in connection with Palanwa P.S. Case No. 117 of 2012, Tr. No.

3514 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.



DKS/-

(Dinesh Kumar Singh, J)

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