

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30145 of 2015

Arising Out of PS.Case No. -13 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

1.Manjay Kumar s/o Rama Paswan, resident of village- Govindpur Rosara,
P.s. Rosara, District- Samastipur.
2. Nilam Devi w/o Dilip Paswan, resident of village- Hayaghat, p.S.
Hayaghat, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015

Heard learned counsel for the petitioners and the State.

The petitioners are apprehending his arrest in a case instituted under Sections 366A and other allied Sections of the Indian Penal Code.

It is alleged by the informant that while her daughter was going to Samastipur for her education and when she reached outside the village, Avinash Kumar kidnapped her with the help of Shashikala Devi, Awadhesh Paswan, Saddam Hussain Khan, Pan Babu @ Aklaku Khan, Vishwanath Paswan, Manjay Kumar and Neelam Devi and got her seated in a Bolero vehicle and the villagers Awdh Paswan,Bilat Paswan, Binod Mahto and others saw them going. It is further alleged that prior to the occurrence, the accused had bad sense and in this regard an informatory petition was also given to S.D.O. by the daughter of the informant.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. Further, it is submitted that the victim girl has got married, which is evident from Annexure 3 to the present application. Further it is also

submitted that petitioner no.2 is a lady. From Annexure 5 it is evident that another lady co-accused in the present case has already been granted anticipatory bail.

On behalf of the State, it has been submitted that the petitioners are named by the victim in her statement under section 164 Cr.P.C.

Considering the aforesaid facts, I am not inclined to grant bail to petitioner no.1 and the same is rejected.

So far petitioner no.2 is concerned, she is a lady. Let the above named petitioner no.2, in the event of her arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Muzaffarpur in connection with Sakra P.S.Case No. 13/2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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