

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20180 of 2015

Arising Out of PS.Case No. -260 Year- 2014 Thana -BATHNAHA District- SITAMARHI

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1. Jai Prakash Singh
2. Baidyanath singh
3. Jagarnath Singh@Jainath Singh
All sons of Anand Singh, Resident of Village - Haribela, P.S.
Bathnaha, District Sitamarhi.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. S.D.Singh Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 17-06-2015 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor.

Three petitioners, apprehending their arrest in connection with Bathnaha P.S.Case no.260 of 2014, registered for the offence under Sections 363, 366(A) of the Indian Penal Code, have prayed for grant of anticipatory bail.

Learned counsel for the petitioners submits that of course, petitioners along with others were arrayed as accused in the F.I.R., fact remains that during investigation, the statement of victim girl was recorded under Section 164 of the Code of Criminal Procedure and in her statement recorded under Section

164 Cr.P.C., she has categorically stated that she had eloped with one Vishwanath Singh and has performed marriage with her own volition. Learned counsel for the petitioners placed Annexure-2 to the petition i.e. photo copy of statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure.

Besides hearing learned counsel for the parties, I have also perused the materials available on record as well as statement of the victim girl recorded under Section 164 Cr.P.C.. The learned Sessions Judge, while rejecting the anticipatory bail petition of the petitioners, has assessed her age as 15-16 years in view of medical report. Fact remains that the victim girl has not stated anything regarding involvement of the petitioners. However, she deposed that she has married with one Vishwanath Singh and nothing has been stated against petitioners.

In view of facts and circumstances, the Court considers that it is a fit case for extending the privilege of anticipatory bail. Let the aforesaid three petitioners, namely, (i) Jai Prakash Singh (ii) Baidyanath Singh (iii) Jagarnath Singh @ Jai Nath Singh , in the event of their arrest or surrender within a period of one month from today, be released on 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, Sitamarhi in connection with Bathnaha P.S. Case
no.260 of 2014, subject to the conditions as laid down in Section
438 (2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

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