

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49046 of 2015

Arising Out of PS.Case No. -264 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

1. Mithilesh Kumar Singh @ Mithlesh Singh Son of Ram Ayodhya Singh
2. Lalu Singh @ Lallu Singh Son of Chandradeep Singh Both residents of
Village - Bhanas, P.S. - Dinara, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.50564 of 2015

Arising Out of PS.Case No. -264 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

1. Babuna Devi wife of Butai Singh Resident of Village- Bhanas, P.S.-
Dinara (Bhanas) District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49046 of 2015)

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

(In Cr.Misc. No.50564 of 2015)

For the Petitioner/s : Mr. Subash Kumar

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 02-11-2015 Both applications arise out of Dinara P.S. Case No.

264 of 2015, as such, they have been heard together and are being

disposed of by the present order.

Heard the counsel for the petitioners and Mr. Suresh
Prasad Singh, APP, for the State.

Petitioners in Cr. Misc. No. 49046 of 2015 are the
co-villagers whereas the petitioner of Cr. Misc. No. 50564 of 2015

is the mother of the boy who is said to have kidnapped/abducted 17 years old daughter of the informant for the purpose of marriage. Both the parties belong to two different castes.

Allegation is that the daughter of the informant was going to school. The accused persons were found going behind her. The girl did not return. It took 11 days to file the F.I.R. about the kidnapping of the daughter. Both the counsels submitted that it is a case of love affairs and inter-cast marriage. The girl had achieved age of understanding. The petitioners are the co-villagers and the old mother of the boy. They are not directly liable for the kidnapping of the girl.

Considering the above, I direct that in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released 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 Judicial Magistrate, 1st Class, Bikramganj, Rohtas in Dinara (Bhanas) P.S. Case No. 264 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

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