

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2580 of 2016

Arising Out of PS.Case No. -261 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

- =====
1. Ashok Kumar Singh @ Ashok @ Ashok Kumar Son of R/o Village
Ataullahpur Milki, P.S. Lalganj, District Vaishali
2. Ramprit Singh Son of Ramji Singh R/o Village Sahpur Kasim, P.S.
Lalganj, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Soni

For the Opposite Party/s : Mr. Narsing Tanti (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 363, 366, 366(A) and 379 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant.

It is submitted by the learned counsel for the petitioners that though the victim has named the petitioners in her statement under section 164 of the Cr.P.C. but the main thrust of accusation is against Vikash Kumar with whom she performed marriage. Marriage certificate has been brought on record as annexure-5. It is further submitted that petitioner No.1 is brother-in-law and

petitioner No.2 is grand father of Vikash Kumar. The victim disclosed her age as 17 years in her statement under section 164 of the Cr. P. C. but actually she was major on the date of incident, which would appear from her Voter Identity Card (annexure-4) which reflects her date of birth as 1996. Moreover, for the incident of 10.08.2015 the complaint was filed on 13.08.2015 which came to be registered as FIR on 03.09.2015.

Considering the fact that the thrust of accusation is against co-accused Vikash Kumar, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 261 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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