

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3798 of 2016

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

- =====
1. Ruby Kumari @ Rubi Kumari Daughter of Late Laxman Singh
 2. Vikash Kumar son of Late Laxman Singh
 3. Sumitra Devi wife of late Laxman Singh
- All resident of Village - Sahpur Kasim, Police Station - Lalganj, District - Vaishali.

.... Petitioner/s

Versus

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. M.K.Nirala(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 25-01-2016

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 363, 366, 366A and 379 of the Indian Penal Code.

The prosecution case is of abducting the daughter of the informant. In 164 Cr.P.C. the victim has got her age recorded as 17 years and the court has also assessed as such.

In 164 Cr.P.C. statement the victim has stated that petitioner no. 2 Vikash Kumar abducted her, though, Ramprit Singh, Jadami Singh, Satish Kumar and petitioner no. 3

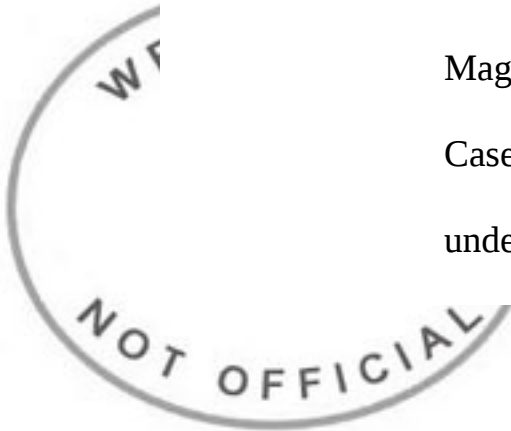
were also present there. Vikash Kumar took the victim along with the jewellery kept in the house and used to ravish her. Ultimately left her on 10.09.2015 at Hajipur.

It is submitted by learned counsel for the petitioners that as per the entry made in the voter identity card the victim was major. It is further submitted that as per own statement of the victim she of her own returned. The petitioner and the victim reside together as husband and wife and both of them have performed marriage. Statement to that effect has been made in paragraph 9 of the petition. Petitioner nos. 1 and 3 being unmarried sister and mother of Vikash Kumar have been roped in maliciously.

Considering the nature of accusation, let the learned court below consider the prayer for regular bail of petitioner no. 2 Vikash Kumar, if he surrenders within a period of six weeks from today.

Considering the 164 Cr.P.C. statement of the victim which suggests thrust of accusation against petitioner no. 2 Vikash Kumar, let the above named petitioner no. 1 and 3 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 Chief Judicial Magistrate, 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) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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