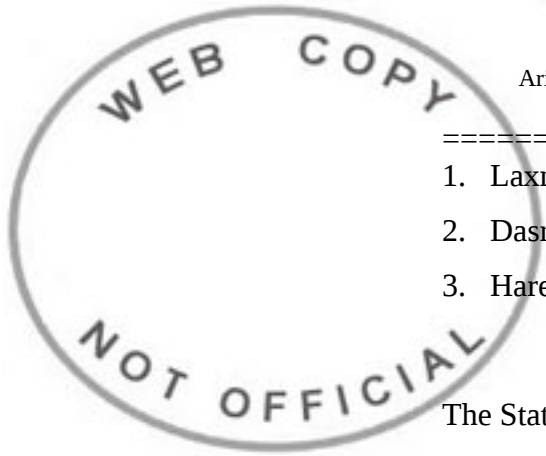




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9252 of 2016

Arising Out of PS.Case No. -62 Year- 2015 Thana -KUSHESHWARSTHAN District-
DARBHANGA

=====

1. Laxman Kamti, son of Bihari Kamti

2. Dasrath Kamti @ Dashrath Kumar Kamti, son of Suresh Kamti

3. Hare Ram Kamti, son of Batohi Kamti

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-02-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 363, 366, 366A/34 of the Indian Penal Code.

Prosecution case is that on 20.02.2015, the daughter of the informant went out to ease when she went traceless. During search, one Krishna Chaudhary conveyed the informant that he saw his daughter on an auto rickshaw of petitioner no.1 when other FIR named accused persons were sitting inside the auto

rickshaw.

It is submitted by learned counsel for the petitioners that in 164 Cr.P.C. statement the victim got her age recorded as 19 years when the learned court below assessed her age between 16-17 years though as per medical assessment she was found about 19 years. In 164 Cr.P.C. statement the victim has stated that she was not kidnapped rather she of her own went in the company of Rahul Kamti and has performed marriage in a temple as she was in love with him from before and now she has given birth to a baby who is now three months old. The victim has not named these petitioners in 164 Cr.P.C. statement.

Considering the fact that the victim has not named these petitioners in 164 Cr.P.C. statement coupled with a statement made in paragraph 3 of the petition that that the petitioners have no criminal antecedent, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No.62/2015,

subject to the conditions as laid down under Section 438(2)
Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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