

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30746 of 2016

Arising Out of PS.Case No. -51 Year- 2011 Thana -PHENHARA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Radheshyam Sahani Son of Late Basdeo Sahani
 2. Tunnu Sahani Son of Late Basdeo Sahani
 3. Radha Mohan Sahani Son of Late Basdeo Sahani All residents of Village - Bira Chapra, Police Station - Shyampur Bhatahan, District - Sheohar.
 4. Milta Devi Wife of Jaimangal Sahani
 5. Jaimangal Sahani Son of Late Biran Sahani
 6. Ajay Sahani Son of Jaimangal Sahani
 7. Rita Devi Wife of Indal Sahani All residents of Village - Khan Pipra, Police Station - Fenhara, District - East Champaran at Motihari.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ravi Shanker Pankaj, Advocate.
For the Opposite Party : Mr. Umesh Lal Verma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 16-09-2016 Heard both sides.

The petitioners apprehend their arrest in Phenhara P.S.
Case No. 51 of 2011 registered for the offences punishable under
Sections 366(A), 120(B) and 380 of the Indian Penal Code.

The informant filed Complaint Case No. 162 of 2011 on
the basis of which the present FIR was lodged. The informant
named the petitioners and alleged that they all kidnapped his
minor sister for the purpose of marriage. The witnesses have also
seen the petitioners talking with his sister.

Learned counsel for the petitioners submits that the

victim made her statement under Section 164 Cr.P.C. which is Annexure-2 and she disclosed that she voluntarily left her house along with Radheshyam Sahani and solemnized marriage with him and she is living with her husband in her Sasural. The victim is also pregnant and disclosed her age to be 21 years.

Considering the facts aforesaid and the fact that the victim appears to be major and has denied the story of her kidnapping stating that she voluntarily left her house and solemnized marriage with Radheshyam Sahani, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XII, East Champaran at Motihari in Phenara P.S. Case No. 51 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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