

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23044 of 2016

Arising Out of PS.Case No. -217 Year- 2015 Thana -SULTANGANJ District- PATNA

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1. Jai Prakash Mahto @ Jai Prakash Mehta son of Ramji Mahto
 2. Dhiraj Kumar, son of Jai Prakash Mahto
 3. Reshmi Kumari D/o Jai Prakash Mahto
 4. Sanju Devi, wife of Jai Prakash Mahto, All resident of Muhalla-
Panchvati Nagar, Bazar Samittee, Police Station- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 365, 120B/34 of the Indian Penal Code and Section 3(1)(XII) of the SC & ST (Prevention of Atrocities) Act.

The prosecution case is of abducting the minor daughter of the informant Neha Kumari in which her friend petitioner No. 3 Reshmi Kumari and family members of co-accused Neeraj Kumar facilitated the abduction.

It is submitted by learned counsel for the petitioners that thrust of accusation is against Neeraj Kumar and petitioners have been roped in the present case since they happen to be the father, brother sister and mother of accused Neeraj Kumar. In 164 Cr.P.C statement the victim got her age recorded as 18 years whereas learned Court below assessed her

age as 16 years where she stated that her parents and maternal uncle wanted to take her to Delhi but she fled away with Neeraj Kumar at Aurangabad and started residing with Neeraj Kumar with whom she was in love. The victim in her statement has stated that she of her own went with the co-accused Neeraj Kumar.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Judicial Magistrate, 1st Class, Patna in connection with Sultanganj P.S. Case No. 217 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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