

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47181 of 2016

Arising Out of PS.Case No. -59 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Arbind Kumar @ Arbind Kumar Kushwaha, Son of Morari Bhagat.
2. Arjun Kumar Son of Ramnath Das. Both resident of Village- Hira Chapra
(Khokhra) P.S. Kalyanpur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Punam Shrivastava

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 08-12-2016 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Para-45 of the case diary goes to show that the statement of victim was recorded under section 164 of the Cr.P.C in which she stated that in the evening of alleged occurrence, petitioner no. 2 asked her to elope with him but she made protest but on the same night, when she had gone to attend call of nature, petitioners and two others took her forcibly on Bolero vehicle and subsequently, she was forced to dance in Orchestra Company. Para-41 of the case diary reveals that the victim returned to her home and, subsequently, she was produced before the police.

Submission on behalf of the petitioners is that the



petitioners do not have any concern with the Orchestra company. The victim herself had gone to work in Orchestra company but, subsequently, dispute arose in respect of making payment and, after that, at the instance of her parents, the victim lodged the present case. Moreover, the statement of victim goes to show that no misdeed was done with her by the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, and also taking note of this fact that petitioners do not have any criminal antecedent, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Motihari East Champaran in connection with Kalyanpur (East Champaran) P.S.Case No. 59 of 2016.

(Hemant Kumar Srivastava, J)

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