

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48401 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -HASANPUR District- SAMASTIPUR

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1. Jago Rai @ Jageshwar Rai Son of late Ram Bhajan Rai
2. Amrati Devio@Imli Devi@Imarti Devi wife of Jago Rai@Jageshwar Rai
Both Vishnamatula,P.s Angarghat, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Hasanpur P.S.Case No. 80 of 2015 instituted under Sections 341, 367, 366A, 504, 506/34 of the Indian Penal Code and Section 3(i)(x)(xi) of SC/ST Act.

It is alleged by the informant (Urmila Devi) that on 7.3.2015 relative of her MAIKE, namely, Manish Kumar came at her house and informant gave tea etc. and after lapse of two hours she found that her daughter Aarti Kumari aged about 14 years and Manish Kumar are not there, then on search she got information that Manish Kumar was taking away her daughter towards Hasanpur Bazar and later on she came at her Maike Birnama under P.S. Angarghat and went to the house of Manish Kumar



then his father Jago Rai and mother Amarti Devi alias Imlee Devi abused her and threatened to go away from there otherwise you will be killed but informant wants to meet her daughter but she could not meet her daughter. It has further been alleged that she complained about the occurrence and returned to her sasural at village- Birpur, P.S. Hasanpur.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is further submitted that the occurrence took place on 07.03.2015 but the FIR was instituted on 14.04.2015. Delay has not been explained by the prosecution. From perusal of Annexure 2 it would appear that the victim has made a petition in the court below where she has stated that she had voluntarily gone with Manish Kumar and there is no allegation against the petitioners. The petitioners are the father and mother of the said Manish Kumar. No offence is made out under SC/ST Act as from perusal of FIR itself it appears that the alleged occurrence is said to have taken place inside the house.

On behalf of the State, it has been submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of six weeks from today, be released

on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri D.K. Bhaskar, learned J.M., 1st Class, Rosera, Samastipur in connection with Hasanpur P.S.case No. 80 of 2015, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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