

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26334 of 2016

Arising Out of PS.Case No. -118 Year- 2015 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Munna Hazara
 2. Bindu Hazara Both S/o Devi Hazara
 3. Devi Paswan @ Devi Hazara S/o Late Mangani Paswan @ Late Mangani Hazara
 4. Rukmini Devi W/o Devi Hazara
 5. Prabhu Paswan S/o Late Kailash Paswan
 6. Sunari Devi W/o Rajesh Paswan, D/o Devi Hazara
 7. Roshni Devi W/o Kishori Paswan D/o Devi Hazara
- All r/o vill.- Mishroulia, P.S.- Ramgarhwa, Dist.- East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhannjay Kumar No 2, Advocate
For the Opposite Party : Mr. Sri Jai Narain Thakur, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-07-2016 I have heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Section 366(A)/34 of the Indian Penal Code.

It is contended on behalf of the petitioners that there has been delay of about one and half month in lodging the First Information Report. The girl's statement has been recorded under Section 164 Cr.P.C and the Court has assessed her age about

20 – 21 years whereas the girl has stated her age about 21 years. Statement of the girl under Section 164 Cr.P.C. has been appended as Annexure 2 in which she has categorically stated that she has married petitioner no. 1 Munna Hazara in Lakshmipur Mansa Mai Temple and her parents wants to kill her and assault her mother-in-law and father-in-law also. She has stated that she eloped with Munna Hazara and went to Ludhiana after marriage and she wants to stay with her husband.

In medical report age of the girl has been stated to be 16 – 17 years. However, it is contended that one and two years error can be there. In her statement the girl has disclosed her age 21 years and court has assessed her age 20 – 21 years, surprisingly, in the first information report the age of the girl has been stated to be 13 years.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Munna Hazara, Bindu Hazara, Devi Paswan @ Devi Hazara, Rukmini Devi, Prabhu Paswan, Sunari Devi and Roshni Devi be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Ramgarhawa P.S. Case No. 118 of 2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sub

Divisional Judicial Magistrate, Raxaul, East Champaran at
Motihari subject to the conditions as laid down under sub-
section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

Spd/-

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