

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55085 of 2015

Arising Out of PS.Case No. -391 Year- 2015 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sikander Kumar @ Sikandar Kumar, Son of Shambhu Sahani
 2. Marachho Devi, Wife of Shambhu Sahani, Both R/o Village - Hardiya, P.S. - Turkauliya, District - East Champaran.

.... Petitioners

Versus

1. The State of Bihar.
2. Mokhtar Alam, Son of (Late) Mahboob Mian
3. Sitara Khatoon D/o Mokhtar Alam, Both 2 and 3 residents of Village - Hardiya, P.S. - Turkauliya, District - East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioners : Ms. Anjum Perveen, Advocate.
For the Opposite Parties : Mr. Shantanu Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 14-07-2016 Heard both sides.

The petitioners apprehend their arrest in Turkaulia P.S.
Case No. 391 of 2015 registered for the offences punishable under
Sections 363, 366(A), 372 and 120(B) of the Indian Penal Code.

The informant alleged that while his daughter had gone
to attend call of nature Sikander Kumar @ Sikandar Kumar and
Vikas Kumar kidnapped her.

Learned counsel for the petitioners submits that all the
allegations are false and the case is compromised. The victim has
returned and no marriage was solemnized.

It appears from perusal of the statement of the victim

recorded under Section 164 of the Cr.P.C. wherein the victim made allegation that petitioner no. 2 accompanied her to attend call of nature, thereafter, Sikander Kumar @ Sikandar Kumar and Vikas Kumar kidnapped and took the victim to Nepal.

Considering the facts aforesaid and the fact that the victim is a minor girl, I am not inclined to enlarge the petitioners above named on anticipatory bail in Turkaulia P.S. Case No. 391 of 2015, pending in the court of the Chief Judicial Magistrate, Motihari, East Champaran. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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