

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41408 of 2016

Arising Out of PS.Case No. -280 Year- 2015 Thana -BHAWANIPUR District- PURNIA

1. Ramanand Paswan, Son of Late Lakhan Paswan
2. Yasoda Devi, Wife of Ramanand Paswan
3. Narsingh Paswan, son of Late Lakhan Paswan
4. Shamsher Paswan @ Shamsher son of Ramanand Paswan
5. Pachava Paswan @ Pachva son of Ramanand Paswan All are Resident of Village-Akbarpur, Paswan Tola, Police Station-Bhwanipur in the district of Purnea

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mr. Rajkishore Singh, Advocate.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-11-2016

Heard both sides.

The petitioners apprehend their arrest in Bhawanipur (Akbarpur) P.S. Case No. 280 of 2015 registered for the offences punishable under Sections 363, 366, 367 and other Sections of the Indian Penal Code.

The mother of the victim alleged that Ramanand Paswan, petitioner no. 1, and his family members informed her on telephone that they will return her daughter Sumitra. But when the informant went there the accused persons assaulted the informant and others.

Learned counsel for the petitioners submits that the victim is a mentally retarded lady. She is married one and got two

children. The victim made her statement under Section 164 of the Code of Criminal Procedure and disclosed that she was returning after purchasing medicine but, Milton Paswan on the pretext to show right way took her to Ambala Cant Station. The victim neither named these petitioners nor made any sorts of allegation against the petitioners.

Considering the facts aforesaid and the fact that the victim, herself, did not make any sorts of allegation against the petitioners and Milton Paswan has already been granted regular bail vide order passed in Cr. Misc. No. 11918 of 2016 on 17.03.2016, the petitioners above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Purnea in Bhawanipur (Akbarpur) P.S. Case No. 280 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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