

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55 of 2016

Arising Out of PS.Case No. -169 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pappu Kumar @ Pappu Prasad Son of Dina Nath Sah Resident of Village - Latihanwa, P.s Adapur, District East Champaran.
 2. Sangeeta Devi wife of Panchu Sah Resident of Nimuiya, P.s Ghorashan, District East Champaran.
 3. Raj Kumari Devi Wife of Vijay Sah Resident of Village- Dharhari, P.s Chauradan, District East Champaran.
 4. Anil Prasad@Anil Sah son of Shankar Sah Resident of Village & P.s - Iakhaura, District East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : M/s Md. Anis Akhtar and
Asif Kalim, Advocates
For the State : Mr. Anuj Kr.Srivastav, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 25-02-2016 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offences punishable under sections 366(A) and 120(B) of the Indian Penal Code.

It is contended on behalf of the petitioners that they have been made accused only on the basis of suspicion. However, a supplementary affidavit has been filed on behalf of the petitioners appending therewith the statement of the victim girl recorded under section 164 of the Code of Criminal Procedure on 01.02.2016 in which she has stated that she had love affair with co-accused Bhairo Kumar, however, her parents were not

happy with that and they forced the girl to remain in house and ensured that she could not go even to school. Thereafter, she called aforesaid Bhairo Kumar and they eloped and went to Tamil Nadu. It is further stated that they solemnized their marriage on 29.11.2014 in a temple and now, from the wedlock, they have been blessed with a male child. She has stated her age to be 22 years but the same has been assessed to be 20 years by the court below. Thus, it is urged that the petitioners have no connection with the alleged offence.

Having regard to the facts and circumstances of the case, let the abovenamed petitioners, namely, Pappu Kumar alias Pappu Prasad, Sangeeta Devi, Raj Kumari Devi and Anil Prasad alias Anil Sah, be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Adapur Police Station Case No. 169/2014 on furnishing bail bonds of Rs.10,000/- (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Raxaul at Motihari, subject to the conditions laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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