

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39418 of 2016

Arising Out of PS.Case No. -6 Year- 2011 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mahmud Dewan S/o Late Ali Akbar Dewan
 2. Mairu Nesha Khatoon wife of Mahmud Dewan
 3. Munna Dewan son of Mahmud Dewan
 4. Navi Rashul Dewan S/o Late Mohmad Dewan
 5. Ismail Dewan S/o Navi Rasul Dewan
 6. Mairunesha Khatoon wife of Ismail Dewan, All are resident of village-
Barjaria P.S. Sangrampur, District East Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 16-09-2016

Heard both sides.

The petitioners apprehend their arrest in Sangrampur
P.S. case No. 06 of 2011 under Section 366A/34 and 376 of the
Indian Penal Code.

Mahendra Mahto filed a complaint petition on the
basis of which the present FIR was lodged. Mahendra Mahto
alleged that Shamshul Alam Dewan kidnapped his minor
daughter. The petitioners also helped Shamshul Alam Dewan in
kidnapping the daughter of informant.

It is submitted that, of course, the petitioners are

family members of Shamsul Alam Dewan but the informant is not an eye witness of the occurrence. The victim appeared and made her statement under Section 164 of the Cr. P. C. She disclosed that she solemnized marriage with Shamsul Ahmad out of her own free will. She disclosed her age to be 18 years.

Considering the facts aforesaid and the fact that the victim herself denied the story of kidnapping, the above named petitioners, in the event of their arrest or surrender before the learned 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 Sri Manish Kumar, learned Judicial Magistrate, East Champaran at Motihari in Sangrampur P.S. Case No. 06 of 2011, 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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