

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14186 of 2016

Arising Out of PS.Case No. -126 Year- 2015 Thana -MEHANDIA District- JEHANABAD

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1. DHARIKSHAN RAM,
 2. Mithilesh Kumar,
 3. Pravesh Kumar alias Ram Pravesh Kumar,
 4. Lakshaman Ram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Pandey

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-03-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,323,504,506,366A and 120B/34 of the Indian Penal Code.

The prosecution case is of abducting the daughter of the informant.

It is submitted by the learned counsel for the petitioners that in 164 Cr.P.C. statement the victim got her age recorded as 20 years when the court assessed her age as 18 years where she stated that co villager Sunil, Bhushan and petitioner nos. 1 and 2 voertook her when co accused Bhushan got her seated on motorcycle which was being driven by Sunil. Sunil took her to Ghurna Bigaha where the petitioner nos. 1 and 2 came in the



morning. Subsequently, when father and uncle of the victim came to rescue but they were assaulted, however, the victim managed to escape from the captive place. It is further submitted that for the occurrence of 13.9.2015 the FIR was registered on 19.9.2015 though the victim returned 14.9.2015. More over, the thrust of accusation is against co accused Sunil. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that petitioner nos. 3 and 4 have not been named by the victim in 164 Cr.P.C. statement, let the above named petitioner nos. 3 and 4 be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Mehandia P.S. Case No. 126 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner nos. 1 and 2 are concerned, though they have been named in 164 Cr.P.C. statement but the thrust of accusation is against co accused Sunil and delayed lodging of the case constitute ground for consideration of their

prayer for regular bail by the learned court below in case they
surrender within six weeks from today in connection with Mehandia
P.S. Case No. 126 of 2015 pending in the court of learned CJM,
Jehanabad.



(Dinesh Kumar Singh, J)

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