

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7187 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -PANAPUR District- SARAN

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1. Haricharan Sah, son of Ram Pravesh Sah,
 2. Binay Kumar Sah, son of Kunwar Sah, Both are resident of Village-
Ubhawa Sarangpur, P.S. Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sahin Begam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-02-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 366(A), 376/34 of the Indian Penal Code and Section 4 of the Protection Of Children From Sexual Offences Act.

The prosecution case is that on 30.12.2015 when the informant proceeded for her school then petitioners and one other abducted her on motorcycle, on way to final destination the accused persons kept her in a room and ravished her.

It is submitted by learned counsel for the petitioners that the victim returned of her own and thereafter lodged the present case through a written report where the report was prepared by someone else and she has only signed on the same. The said report was submitted on 06.01.2016 and thereafter victim's 164 Cr.P.C statement was recorded on

07.01.2016 where she got her age recorded as 14 years whereas Court assessed as such, where she stated that she was being abducted by some unknown persons. However, the victim did not claim to have been misbehaved by the accused persons. The victim has not named anyone in her 164 Cr. P.C statement.

A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

Considering the delayed lodging of the case and 164 Cr.P.C statement of the victim, it is a case for consideration of prayer for regular bail, if the petitioners surrender within a period of six weeks in connection with Panapaur P.S. Case No. 4 of 2016, pending in the Court of learned Additional Chief Judicial Magistrate, Saran, Chapra.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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