

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8428 of 2016

Arising Out of PS.Case No. -571 Year- 2015 Thana -KHAGARIA District- KHAGARIA

- =====
1. Jhaksu Sahni Son of Late Lakhan Sahni
 2. Balram Sahni Son of Jhaksu Sahni
 3. Anita Devi Wife of Jhaksu Sahni
 4. Manish Paswan Son of Jito Paswan, resident of Village Mathurapur, Police Station Khagaria, District Khagaria.
- The Petitioner Nos. 1 to 3 are Resident of Village Kamalpur, Ward No. 17, Police Station Khagaria, District Khagaria.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Partys

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioners and learned APP
for the State.

2. It is stated that the petitioner no. 4 namely, Manish Paswan has already been arrested and as such his anticipatory bail application has become infructuous.

3. As prayed, the anticipatory bail application as against petitioner no. 4 is permitted to be withdrawn and is dismissed as such.

4. The petitioner nos. 1 to 3 apprehend their arrest for the offences alleged under Sections 366(A) and 34 of the Indian Penal Code registered in connection with Khagaria P.S. Case No. 571 of 2015.

5. It is submitted that the petitioner nos. 1 to 3 have been falsely implicated as evident from the deposition of the so-called victim girl recorded under Section 164 Cr.P.C., stating that she had voluntarily

eloped with co-accused Navin Kumar. She has stated her age to be 18 years and assessed as 16 years. In her deposition she has not named the present petitioners.

6. Having regard to the entirety of the facts and circumstances, in the event of arrest or surrender of the petitioner nos. 1 to 3 before the court below within six weeks from the date of communication of this order, let the above named petitioner nos. 1 to 3 be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 571 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Vikash Jain, J)

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