

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9700 of 2016

Arising Out of PS.Case No. -329 Year- 2015 Thana -GHOSI District- JEHANABAD

- =====
1. Raghvendra Sharma @ Raghvendra Singh, son of Tanu Singh alias Manideo Singh.
 2. Roshan Kumar alias Raushan Kumar, son of Raghvendra Sharma.
Both residents of village-Nauru-mai, P.S. Kako, District-Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Ghoshi P.S. Case No.329 of 2015 registered under Sections 365 and 366/34 of the Indian Penal Code.

The accusation is of kidnapping the daughter of the informant by the co-accused Gautam Kumar with the help of his parents and other family members.

Learned counsel appearing on behalf of the petitioners submits that the petitioner no.1 is the father whereas petitioner no.2 is the brother of the co-accused Gautam Kumar and have falsely been implicated in this case. Further submission is that, in fact,

there was love affair in between the daughter of the informant and the co-accused Gautam Kumar and the daughter of the informant left her home at her own sweet will and performed the marriage with the co-accused Gautam Kumar without knowledge of these petitioners. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure on 22.12.2015 has stated about her moving from the house calling the co-accused Gautam Kumar and performing the marriage with him according to her own sweet will. The age of the victim was assessed by the court as 19 years and the victim has stated her age as 20 years at the time of recording her statement under Section 164 of the Code of Criminal Procedure.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Jehanabad, in connection with Ghoshi P.S. Case No.329 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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