

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14820 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -DUMRAUN District- BUXAR

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1. Purnavashi Rai @ Puran Vashi Rajbhar, son of Late Maina Rajbhar
 2. Rajdeliya Devi @ Rajdeiiya Devi, wife of Purnavashi Rai @ Puran Vashi Rajbhar
 3. Pappu Rajbhar, son of Purnavashi Rai @ Puran Vashi Rajbhar, all are residents of village-Englishpur, Police Station- Simari, District-Buxar
- Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr. Shailendra Kr. 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 04-05-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Dumraon P.S. Case No. 33 of 2016, disclosing offences under
Sections 366 and 366A/34 of the Indian Penal Code.

Learned counsel for the petitioners has drawn my
attention to Annexure-2 of the application which is the statement
of victim recorded under Section 164 of the Code of Criminal
Procedure and has submitted that the allegation made in the First
Information Report stands falsified. In the said statement made
under Section 164 of the Code of Criminal Procedure, the victim
has said that she had gone with the co-accused Mahesh Rajbhar,

son of petitioner No. 1 out of her own volition. Petitioner no. 2 is the mother and petitioner No. 3 is the brother of the said co-accused, Mahesh Rajbhar.

Considering the facts and circumstances and submissions advanced, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 33 of 2016, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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