

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45348 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -BANGAON District- SAHARSA

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1. Asha Devi W/o Late Jaidev Sah
2. Sanjeev Kumar S/o Birendra Sah Both are residents of village - Balhadih,
P.S. - Bangaon, Dist. - Saharsa.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Smt. Sharda Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This is an application for anticipatory bail for the
offences under Sections 363, 366A and 34 of the Indian Penal
Code.

It has been submitted on behalf of the petitioners that so
far these two petitioners are concerned, final form has been
submitted by the police finding the case not true as contained in
Annexure-2 to this petition. However, the learned Magistrate has
taken cognizance against the petitioners. It has further been
submitted on behalf of the petitioners that the statement of girl was
also recorded under section 164 of the Code of Criminal
Procedure in which she has not named these two petitioners.



Heard learned APP appearing for the State who could not controvert this fact.

Having heard both sides and considering the facts and circumstances of the case, 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 bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st, Saharsa in connection with Bangaon P.S. Case No. 18 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and further that the petitioner will cooperate with the investigation of the case.

(Vinod Kumar Sinha, J)

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