

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13797 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Munna Giri, Son of Ram Badan Giri.
 2. Prabha Kuar, Wife of Ram Badan Giri, Both Resident of Village-Din Dayalpur , Police Station Tarwara, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate.

For the Opposite Party/s : Mr. Surendra Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Sessions Trial No. 382 of 2015 arising out of Maharajganj P.S. Case No. 42 of 2015 registered under Sections 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping of Sima Kumari @ Munni, minor daughter of the informant, Dineshwar Sharma, by the petitioners for the purpose of marriage.

Learned counsel for the petitioners submits that there was love affairs between the petitioner no.2 and the victim, daughter of informant and due to that reason petitioner no.2 and

the victim moved from their house according to their sweet will and started to live at Ludhiyana, from where, the victim was recovered by the police. Further submission is that the victim has stated in her statement that she was taken by this petitioner on tempo in course of returning to school but she has clearly stated that while she stay with the petitioners but no any illegal work was taken by the petitioner no. 2 only she was being used for preparing the meal. It is further submitted that while the age of the victim has been detailed as 13 years in the F.I.R. but in the medical report her age has been assessed in between 15 to 16 years.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to 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 the 4 Additional District Judge, Siwan, in connection with Sessions Trial No. 382 of 2015 arising out of Maharajganj P.S. Case No. 42 of 2015. Out of two sureties, one surety must be the close relative of the petitioners.

(Rajendra Kumar Mishra, J)

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