

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.3786 of 2016

Arising Out of PS.Case No. -338 Year- 2015 Thana -SHEKHPURA District- SEKHPURA

1. Naresh Paswan Son of Late Dashrath Paswan
2.Vindu Devi wife of Naresh Paswan Both resident of Village -
Goshaimarhi, P.S. and District - Sheikhpora.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ansural Haque (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 29-06-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

Petitioners, who are father and mother of the boy
Bipin Kumar, who has been alleged to have taken away the minor
daughter of the informant, apprehend their arrest in connection
with Sheikhpora (Hathiyawan O.P.) P.S. Case No. 338/2015
registered for offences punishable under Sections 363, 366/34 of
the Indian Penal Code and Section 8 of POSCO Act.

The prosecution case as lodged on the basis of written
report of the informant before the officer-in-charge of Hathiyawan
O.P. on 16.10.2015, alleging therein that he had gone to Delhi for
the treatment of his wife. On 24.9.2015 at about 4 P.M. his brother



Sharvan Ram telephoned him that his daughter Rajni Kumari @ Lali Kumari, aged about 16 years was missing and on such information, he returned to his village and made search at his own level with the villagers and it was found that Bipin Kumar along with his associates, namely, Vindu Devi., Naresh Paswan and Bipin Bind have enticed away his daughter with intention to marry her.

It has been submitted by the learned counsel for the petitioners that being mother and father of the boy, Bipin Kumar who has allegedly taken away the informant's daughter with an intention to marry her, both are minor. He also submits that petitioners are innocent and have been falsely implicated in the aforesaid offence and although the date of occurrence is 24.09.2015 and inspite of the information the informant had lodged F.I.R. after inordinate delay i.e. 16.10.2015 and no reason have been assigned for such delay. It has also been submitted that son of the petitioners, Bipin Kumar is still now not traceable and so also the victim girl, Rajni Kumari @ Lali Kumari and that investigation is going on. Learned counsel for the petitioner further submits that these petitioners have clean antecedent as is evident from para-3 of this application.

However, learned A.P.P. submits that the

petitioners are named in the F.I.R. and the son of the petitioners is untraceable, hence, opposes the prayer for bail.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiyawan O.P.) P. S. Case No. 338/2015, subject to the conditions as laid down under Section 438 (2) of the Cr. P. C.

(Nilu Agrawal, J)

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