

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20443 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Mohan Kumar Das @ Mohan Kumar son of Umesh Das.
 2. Sarda Devi wife of Umesh Das.
 3. Umesh Das son of Late Ramji Das. All resident of Village- Chaksikandra, P.O. Chaksikandra, P.S.- Bidupur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-05-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 363, 366A/34 of the Indian Penal Code.

The accusation is of enticing away the minor daughter of the informant on 25.08.2015. Subsequently, the informant came to know that petitioner No.1, Mohan Kumar Das, had enticed away her minor daughter and when the informant went to the parents of Mohan Kumar Das for enquiry they stated that their son has taken away her daughter and the daughter of informant will come in two days. Hence, it is alleged that Mohan Kumar Das and his parents have committed the offence.

It is submitted by the learned counsel for the petitioners that petitioners No.2 and 3 are parents of Mohan Kumar Das, petitioner No.1. In the statement under section 164 of the Cr. P.C. the victim recorded her age as 15 years but she has stated that after assault made by her parents she went to her matrimonial aunt's house. In the Statement under section 164 of the Cr. P. C the victim has not named the petitioners and expressed her unwillingness to go to her parents' house. Statement has been in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 125 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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