

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19705 of 2016

Arising Out of PS.Case No. -8 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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1. Hare Ram Sahni Son of Late Chhotan Sahani
2. Sugiya Devi W/o Hare Ram Sahani
Both are resident of village - Sanbarshaghat, Police Station Chautham,
District - Khagaria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 20-05-2016 Heard Sri Binod Kumar, learned counsel for
petitioners and Smt. Veena Kumari Jaiswal, learned Addl. Public
Prosecutor.

Two petitioners, apprehending their arrest in
Chautham P.S. Case No. 08 of 2016 registered for the offence
under Sections 366(A)/34 of the Indian Penal Code, have prayed
for grant of anticipatory bail.

Learned counsel for petitioners submits that in the
F.I.R. itself, there was no accusation against the petitioners. Only
fact was disclosed that the boy, who had allegedly kidnapped the
victim girl, was often visiting the house of the petitioners. Besides
this, there is no accusation. He further submits that during
investigation, statement of victim girl was got recorded under
Section 164 Cr.P.C. By way of referring to **Annexure – 2** i.e.

statement of the victim girl under Section 164 Cr.P.C., learned counsel for petitioners submits that the victim girl had disclosed her age before the learned court below as 18 year old. She had categorically stated that she was never kidnapped and she had voluntarily gone with one Dilkhush Raj and she had solemnized marriage with him. Even before the Magistrate, she asserted that she wanted to live with her husband.

In view of facts disclosed in the F.I.R. as well as statement of the victim girl recorded under Section 164 Cr.P.C., the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Hare Ram Sahni and Sugiya Devi be enlarged on bail on furnishing bail-bonds of **Rs. 10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Chautham P.S. Case No. 08 of 2016 subject to condition as contemplated under Section 438 (2) of the Cr.P.C.

(Rakesh Kumar, J.)

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