

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27150 of 2016

Arising Out of PS.Case No. -364 Year- 2014 Thana -KUDHNI District- MUZAFFARPUR

1. Manoj Paswan son of Sri Bishwanath Paswan.
2. Nitu Devi wife of Manoj Paswan.

Both resident of Mohala Kanhauli Police Line P.S. Mithanpura District Muzaffarpur (wrong address of these two petitioners has been given in F.I.R).

3. Poonam Kumari d/o Nandu Paswan resident of village Sirohi Nagar P.S. Kurhani (Turki) District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Sri Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 366A, 504, 120B of the Indian Penal Code.

The prosecution case is of abducting the minor daughter of the informant Manju Devi. It is alleged that three persons conveyed to the informant that petitioner

Poonam Kumari took the daughter of the informant towards Turki market.

It is submitted by the learned counsel for the petitioners that petitioner no.1 is brother-in-law, petitioner no. 2 is sister and petitioner no. 3 is unmarried sister of Nitesh Kumar with whom informant's daughter eloped.

It is submitted by the learned counsel for the petitioners that subsequently the victim girl was recovered, but she has not supported the accusation. 164 Cr.P.C. statement of the victim is not on the record, but statement to that effect has been made in para-10 of the petition which reads as follows:-

“That the entire case gets falsified after the recovery of the victim girl during the course of investigation of the case. Wherein she had been examined u/s 164 Cr.P.C. and had denied the entire allegation levelled by her mother and that apart now she is enjoying a happy married life and had also a child in her lap. She has herself admitted that she is major.”

Considering the fact that thrust of accusation is against Nitesh Kumar, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sri Manish Pandey, J.M., Ist Class, Muzaffarpur in connection with Kurhani (Turki

O.P.) P.S. Case No. 364 of 2014, subject to conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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