

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31078 of 2016

Arising out of P.S. Case No. - 239 Year - 2015 Thana - BARH District - PATNA

- =====
1. Jaya Devi, wife of Late Munna Ram
 2. Sanjjha Devi, wife of Nago Ram, Both resident of Karayliya Mohalla
Ward No. 14, P.S. Barh, District - Patna
 3. Renu Devi, wife of Bhaso Ram, Resident of Dayanand Chak, P.S.
Barbigaha, District - Seikhpura

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party : Mr. Sri Murlidhar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-08-2016

Heard learned counsel for the petitioners and the
State.

Petitioners are cited accuseds of Spl. Case No. 86 of
2016 arising out of Barh P.S. Case No. 239 of 2015 registered
for the offences under Section 366 of the Indian Penal Code.

In relation to the incident of kidnapping of 16/17
years old daughter of the informant on 13.06.2015, the First
Information Report was lodged on 17.06.2015. It is alleged that
while the informant was going along with daughter the accused
persons followed. Co-accused Gautam Kumar along with others
later arrived in a car and the victim was forcibly kidnapped. On

retrieved, the victim-girl made her statement, in which, it has been alleged that the co-accused Gautam Kumar also sexually assaulted her. She has further named the lady members also as co-accuseds.

It is submitted on behalf of the petitioners that in the medical assessment the age of the victim-girl was found 18 years. There was a love affair going on between the victim-girl and Gautam Kumar who is son of petitioner no. 1 and presently lodged in jail custody. The names of the petitioners as members of the family have been purposely incorporated in the First Information Report lodged after four days.

Considering the facts and circumstances of the case, I am inclined to extend the petitioners on privilege of bail. Let petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, be released 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 Additional District Judge, Patna in connection with Spl. Case No. 86 of 2016 arising out of Barh Police Station Case No. 239 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure.

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J.)

Kundan

U		T	
---	--	---	--