

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 28452 of 2016

Arising Out of PS.Case No. -53 Year- 2015 Thana -PAKRIDAYAL District-
EASTCHAMPARAN(MOTIHARI)

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1. Ram Babu Yadav son of Late Ganesh Rai,
2. Soshila Devi w/o Ram Babu Yadav,
Both resident of Village- Dumarbana, Police Station- Pakaridayal,
District-East Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 28-07-2016 Heard Sri Anil Kumar, learned counsel for petitioners
and Mr. Md. Fahimuddin, learned Addl. Public Prosecutor.

Two petitioners, who are father and mother of
accused, who has allegedly kidnapped and married with daughter
of the informant, have approached this Court for grant of
anticipatory bail in Pakaridayal P.S. Case No. 53 of 2015
registered for offence under Sections 366(A)/34 of the Indian
Penal Code.

At the very outset, learned counsel for petitioners has
drawn my attention to **Annexure – 2** to the petition i.e. certified
copy of statement of the victim girl recorded under Section 164 of
the Cr.P.C. He submits that before the learned Magistrate, the
victim girl had disclosed her age as 19 years, which was also

assessed by the learned Magistrate and before the learned Magistrate, she made categorical statement that one year prior to her statement, she had solemnized marriage with the son of the petitioners namely Kundan Yadav and she was residing with her husband in Kolkata. She had made statement that she wanted to reside with her husband and in-laws.

Keeping in view the statement of victim girl as well as the fact that petitioners are father and mother of the so called husband of the victim, there is no reason to deny the prayer for anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let both the petitioners namely Ram Babu Yadav and Soshila 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 Additional Chief Judicial Magistrate –cum- 5th Sub-ordinate Judge, Motihari in connection with Pakaridayal P.S. Case No. 53 of 2015, subject to condition as laid down under Section 438 (2) of the Cr.P.C.

(Rakesh Kumar, J.)

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