

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26220 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -SARAIYA District- MUZAFFARPUR

- =====
1. Kailash Rai, S/O Late Ramjeet Rai
 2. Arun Kumar, S/o Kailash Rai
 3. Saili Devi @ Sail Devi W/o Kailash Rai.
- All are R/o village- Manikpur, P.S. Saraiya, District- Muzaffarpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Vipin Kumar, Advocate

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, A.P.P.

=====

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 04-07-2016 Heard parties.

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

As per allegation, the co-accused Arbind Kumar enticed away the minor daughter of the informant for the purpose of marriage.

It is contended that the petitioner no.1 is the father of accused Arbind Kumar whereas the petitioner nos. 2 and 3 are the brother and mother. It is urged that it is apparent from the order of the Sessions Judge that the victim girl herself had appeared before the Sessions Judge and has stated that she has major girl and had

willfully gone with the aforesaid accused Arbind Kumar and she had married with him and further that there is female child born from the wedlock. In the facts and circumstances of the case, the aforesaid accused Arbind Kumar has already been granted anticipatory bail by the Sessions Judge itself vide Annexure-3, however, petitioners' application for grant of anticipatory bail has been rejected on the ground that his earlier application was rejected by the Sessions Judge.

Having regard to the facts and circumstances of the case, let the petitioners, namely, Kailash Rai, Arun Kumar and Saili Devi @ Sail Devi be released on bail in the event of their arrest/surrender before the court below within a period of six weeks from today in connection with Saraiya P.S. Case No.159/2015, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate (West), Muzaffarpur subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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