

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8526 of 2016

Arising Out of PS.Case No. -149 Year- 2015 Thana -MUSRIGHARARI District- SAMASTIPUR

- =====
1. Deepak Rai @ Deepak Kumar Rai Son of Late Maheshwar Rai
 2. Sangeeta Devi wife of Deepak Rai @ Deepak Kumar Rai
Both Resident of Village- Muktaur Mannipur, Police Station-
Mathurapur O.P., District- Samastipur.
 3. Rajendra Rai son of Late Bhola Rai
 4. Sushila Devi wife of Rajendra Rai
 5. Rajesh Rai son of Rajendra Rai

All residents of Village- Rupauli, Police Station- Mushrigharari, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar-I(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 22-02-2016

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 363, 366A and 120B/34 of the Indian Penal Code.

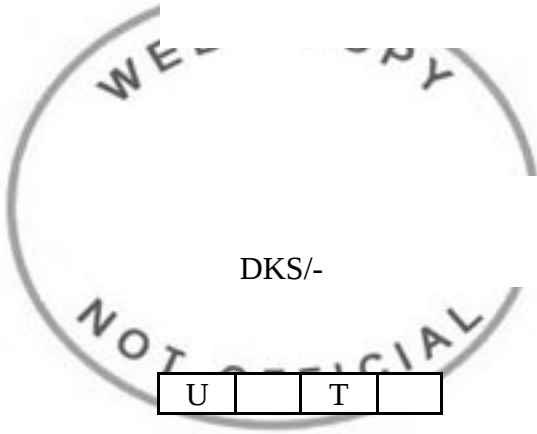
The prosecution case is that on 04.12.2015

at 2.00 A.M. in the night daughter of the informant, Sharmila Kumari along with her mother went to ease when Raju Rai, Vijay Rai along with two unknown abducted her.

It is submitted by learned counsel for the petitioners that the petitioners are named in the FIR since they happen to be brother-in-law, married sister, father, mother and younger brother of Raju Rai but in 164 Cr.P.C. statement she recorded her age as 13 years when the court has assessed 14 years where she has stated that she was abducted by Raju Rai, who performed marriage with her in a temple, ravished her and thereafter she was left at Samastipur Bus Stand. It is further submitted that the victim has not named these petitioners in 164 Cr.P.C. statement and for the occurrence of 04.12.2015 the FIR was registered on 06.12.2015.

Considering the fact that the victim in 164 Cr.P.C. statement has not named these petitioners, let the above named petitioners be released on anticipatory bail, in the event of 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 4th Additional Chief Judicial Magistrate, Samastipur in connection with Musrigharari

P.S. Case No. 149 of 2015, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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