

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10822 of 2016

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

- =====
1. Kadir Khan Son of Basir Khan
 2. Robaida Khatoon Wife of Kadir Khan Both Resident of village –
Khairwa, Police Station Dhaka, District - East Champaran (Motihari)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar, Adv.

For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code and 6 of The Protection of Children from Sexual Offences Act.

The accusation is of abducting the minor daughter of the informant.

It is submitted by learned counsel for the petitioners that the petitioners are the son and daughter-in-law of the informant and maliciously the accusation has been levelled. In 164 Cr. P.C. statement, the victim got her age recorded as 20 years when the court assessed her age as 15 years while as per the medical

assessment she has been found between 15 to 16 years. In 164 Cr. P.C. statement the victim stated that she was in love with one Akhlakh and she went in the company of Akhlakh with whom she performed marriage. She also stated that she was never been abducted and petitioners are not involved in the occurrence. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent. The informant has retracted from his initial version and filed a petition to that effect before the learned court below.

Considering the 164 Cr. P.C. statement of the victim, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sikrahna (Dhaka) at East Champaran, Motihari in connection with Dhaka P.S. Case No. 53 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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