

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52727 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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1. Sekh Jallaluddin @ Sk. Jalaluddin @ Akaloo Son of Late Sk. Salim
2. Sk. Kabir @ Shekh Kabir Son of Sk. Jalaluddin alias Akaloo
3. Hasiba Khatoon Wife of Sk. Jalaluddin alias Akaloo
4. Gulshan Khatoon wife of Sk. Sabir All are Residents of Village-
Baikunthwa, P.S.- Darpa, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.3

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This is and application for grant of anticipatory bail for
offences punishable under Sections 363, 366(A), 370, 506 and 34
of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the
petitioners are members of one family and has been falsely
implicated in the present case due to previous enmity. The very
falsity of case appears from the perusal of the statement of the girl
recorded under Section 164 of the Cr.P.C. wherein, she has
categorically stated that she went with one Jabbar, co-accused of



this case, out of her own sweet will and she disclosed her age to be 20 years and the Court assessed the age of the girl as 18-19 years.

Heard learned A.P.P. also.

Having heard both sides and in view of the statement of the girl recorded under Section 164, wherein, she has denied the fact of kidnapping/abduction and has stated that she went with the co-accused of this case out of her own will, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Raxaul at Motihari, in connection with Darpa P.S. Case No. 46 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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