

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47069 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

- =====
1. Randhir Tiwary @ Jai Prakash Tiwary, S/O Umesh Tiwary,
 2. Santosh Tiwari, S/O Bajrangi Tiwary, both resident of village- Rikhar Chak, Pokhra, P.S. Lalganj, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh, Advocate.

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Lalganj P.S. Case No. 163 of 2016 registered under Section 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping of niece of the informant by the petitioners for the purpose of marriage with the help of Bajrangi Tiwary and Umesh Tiwary on 01.06.2016.

Learned counsel for the petitioners submits that, in fact, niece of the informant was fallen in love with petitioner no. 1 and moved with petitioner no. 1 according to her own sweet will for the purpose to perform the marriage. It is further submitted that the statement of victim, niece of the informant, was recorded, under



Section 164 of the Cr.P.C. on 19.07.2016, in which, she disclosed about performing the marriage with the petitioner no. 1 and denied the allegation made in the F.I.R. about her kidnapping. It is further submitted that at the time of recording the statement of victim, her age has also been assessed as 18 years.

Considering the aforesaid submissions, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Lalganj P.S. Case No. 163 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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