

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1598 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -MANSI District- KHAGARIA

- =====
1. Bikram Kumar, Son of Late Bilash Singh,
 2. Dharmendra Kumar @ Dharvendra Kumar, Son of Gonar Singh, Both
are Resident of Village-Ekania, P.S.Mansi, District-Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-01-2017 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

Learned counsel for the petitioner is permitted to
make necessary correction in the name of Petitioner No.2.

The petitioners are accused in connection with
Mansi P.S. Case No. 62 of 2016, registered under Section
366A/34 of the Indian Penal Code.

The accusation is of kidnapping of daughter of the
informant by one Arbind Kumar, son of Rajaram Singh with the
help of his associates Nitish Kumar and the petitioners.

Learned counsel for the petitioner submits that, in
fact, there was love affairs in between the daughter of the
informant, who was student of Class-XII and co-accused Arbind
Kumar and both of them moved from the house according to
their sweet will and stayed at different places and they lastly



stayed at Ludhiyana. Further submission is that informant, father of the victim, figured the name of the petitioners and two others being the friend of Arbind Kumar. Further submission is that the victim, in pressure of her family members, disclosed the name of the petitioners and two others as associates of co-accused Arbind Kumar having hand in the kidnapping, but she has not stated any overt act against the petitioners and she only stated about committing rape and taking her at Ludhiyana and staying in night in unknown village. There is specific allegation of committing rape upon her by co-accused Arbind Kumar and not by the petitioners. Further submission is that petitioners have surrendered in court below on 23.11.2016 and since then they are in custody. Further submission is that the age of the victim has been assessed as 17 to 18 years in the report of Medical Board.

Having regard to the facts and the circumstances of the case, the petitioners, above named, is directed to 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 the Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 62 of 2016.

(Rajendra Kumar Mishra, J)

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