

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8564 of 2016

Arising Out of PS.Case No. -37 Year- 2013 Thana -DALSINGHSARAI District- SAMASTIPUR

- =====
1. Sunil Rai S/o Ramchandra Rai Resident of Village Khudhani Kali Chouk; P.S. Dalsingsarai; District - Samastipur.
2. Ram Pukar Rai @ Pukar Roy S/o Late Ganga Roy Resident of Village Rani; P.S. Balchhawara; District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

18 11-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners apprehend their arrest in connection with Dalsingsarai P.S. Case No. 37/13 registered for the offences punishable under Sections 363, 364, 346/34 of the Indian Penal Code.

The prosecution case, as lodged by Firdosh Khatoon, mother of the victim girl, is that the victim was a minor and was kidnapped from computer class. During search, the victim girl was found having love affair with petitioner no. 1 Sunil Rai.

It has been submitted by the learned counsel for the petitioner that petitioner no. 1 had married the daughter of the



informant but she went to her parental house and from there she became traceless. Thereafter there was no knowledge of her whereabouts.

Learned counsel for the informant submits that the victim girl had gone with petitioner no. 1 and was traceless since then.

In this connection, a report was called for from the Superintendent of Police, Samastipur to appoint a responsible officer to investigate regarding whereabouts of victim girl Tashneem Kaishar. A report has been sent by the Superintendent of Police, Samastipur by letter No. 125 dated 18.09.2017 stating therein that the victim girl is living with one Chandan Prakash Rai as husband and wife and working in Ajit Hansraj Rest House, Kankarbagh, Patna. An application has also been filed before the Officer-in-Charge, Dalsingsarai, which is enclosed with the report jointly filed by the victim girl and Chandan Prakash Rai (her husband) wherein the victim girl has stated that she has left the previous husband i.e. petitioner no. 1 Sunil Rai and living with Chandan Prakash Rai as husband and wife and on 24.08.2017 a child has also been born out of the wedlock. She has also undertaken to appear before the court as and when required. The report and application is taken as part of the record.

Considering the facts and circumstances and the materials



on record, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of eight weeks from the date of receipt of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Dalsingsarai, Samastipur, in connection with Dalsingsarai P.S. Case No. 37/13, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J)

Rajesh/-

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