

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7699 of 2017

Arising Out of PS.Case No. -367 Year- 2016 Thana -PATORI District- SAMASTIPUR

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1. Santosh Das Son of Laate Ram Jee Das
 2. Dharmshila Devi Wife of Santosh Das
 3. Amresh Das Son of late Ram Jee Das
 4. Akhilesh Kumar @ Akhilesh Das @ Akhilesh Advani Das, Son of Santosh Das, All residents of Village- Dumri, P.S. Patori (Mohanpur O.P) District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

6 01-05-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Patori (Mohanpur O.P.) P.S. Case No. 367 of 2016 for the offences punishable under sections 363 and 366 (A)/34 of the I.P.C.

Allegedly, the daughter of the informant, aged 15 years, was kidnapped by the petitioners and co-accused Dipak Kumar Das by forcibly boarding her in the Bolero Vehicle and fled away. During investigation the victim girl has appeared and her statement has been recorded under section 164 of the Cr.P.C. Further, as per her desire she was allowed to go at her choice place.



Submission is of false implication and that the daughter of the informant is a major one, she is aged about 19 years, she has specifically stated that she had married with Dipak Kumar Das and wants to live with him, the petitioners have unnecessarily been made accused and as such they deserve sympathetic consideration

The learned A.P.P. submits that from the supplementary affidavit and the order of the court below it reveals that the victim's statement has been recorded under section 164 of the Cr.P.C. and she was found aged about 19 years and accordingly she was allowed to go at her choice place.

In the facts and circumstances as stated above, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of. C.J.M. Samastipur in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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