

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10095 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -GARAUL District- VAISHALI(HAJIPUR)

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1. Manoj Prabhakar,
2. Binod Prabhakar, both Sons of Ram Baran Ram.
3. Ashok Ram, S/o Raj Ballav Ram
4. Shambhu Ram, S/o Ram Uchat Ram, all Resident of Village- Khajoul
Wajitpur, P.S.- Goural (Adampur), District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Goural P.S.

Case No. 144 of 2016 instituted for the offence under sections
366(A)/376 of the Indian Penal Code and 4/6 POSCO Act.

There is allegation in the written report that one Sujit

Kumar used to establish physical relationship with the daughter of
informant and she became pregnant. The informant got a
panchayat and made protest then petitioners and other accused
kidnapped her daughter

The statement of victim girl has been recorded under

section 164 Cr.P.C. wherein she has stated she was never raped.



She is not pregnant.

The medical report has been annexed (Annexure-3) wherein the doctor has assessed the age of the victim in between 17-19. He has not given any finding that the girl was pregnant.

In the written report as well as statement of the victim girl recorded under section 164 Cr.P.C., there is no allegation of any overt act against these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Goural Case No. 144 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J 1st, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) Cr.P.C

(Sanjay Priya, J)

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