

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12146 of 2017

Arising Out of PS.Case No. -273 Year- 2016 Thana -BHABHUA District- BHABHUA (KAIMUR)

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1. Doma Mushar, Son of Rogi Musahar
 2. Shankar Musahar, Son of Rogi Musahar
 3. Mira Devi, Wife of Shankar Musahar
 4. Pardeshi Musahar, Son of Shankar Musahar
 5. Tijia Devi Wife of Doman Musahar All Resident of Village- Makaram, P.S.- Bhagwanpur, District- Kaimur (Bhabhua).
 6. Mahendra Musahar, S/o Bihari Musahar
 7. Hathia Devi, Wife of Mahendra Musahar Both Resident of Village- Ramgarh (Mundeshwari), P.S.- Bhagwanpur, District- Kaimur (Bhabhua).

.... Petitioners

Versus

1. The State of Bihar.
2. Santoshi Kunwar, Wife of Late Tuphani Musahar Resident of Akhlaspur, P.S. Bhabua, District- Kaimur (Bhabua).

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha, Advocate

For the Opposite Party/s : . Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-03-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Bhabua P.S. Case No. 273 of 2016 registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that during investigation witnesses have not supported the prosecution case and the statement of the victim recorded under Section 164 Cr.P.C. has not supported the prosecution case also.



Heard learned APP also.

Having heard both sides and in view of the nature of allegation, let the petitioners, above named, surrender and pray for regular bail before the court below, who will consider the same on its own merit and also considering the statement of the victim girl under Section 164 Cr.P.C. as well the materials available on record and pass an appropriate order, if possible on the same day.

This application is, accordingly, disposed of.

(Vinod Kumar Sinha, J)

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