

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15853 of 2017

Arising Out of PS.Case No. -138 Year- 2016 Thana -BAUNSI District- ARRARIA

- =====
1. Birjanand Paswan, Son of Late Dhutar Paswan,
 2. Sunita Devi, W/o Birjanand Paswan, Both are Resident of Village-
Mahsaili, P.S.- Bounsi, District- Araria,

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Jagdhar Prasad

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

2 13-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bousi P.S. Case no. 138 of 2016, registered under Sections 363 and
366(A) of the Indian Penal Code.

The accusation is that on 04.12.2016, in the evening, the
informant Pinki Devi was engaged in the marriage ceremony of her
neighbour. At that time, petitioners along with his brothers Pinku
Paswan and Sunil Paswan came at her house and started talking with
her daughter Sima Kumari, aged about 16 years, and they have
accompany her to their house, but she did not return till 9.00 P.M. then
search was made on which villagers told about carrying of her
daughter by the petitioners and his family members.

Learned counsel for the petitioners submits that, in fact,



there was love affair in between Pinku Paswan, son of the petitioners, and the daughter of the informant and she left her house due to her sweet will and performed marriage with Pinku Paswan. Further submission is that in the statement of the victim recorded under Section 164 Cr.P.C., she has clearly stated that she left the house and performed marriage with Pinku Kumar at Kali Mandir, Raniganj and at the time of recording of her statement, the Court has assessed her age as 19 years.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Araria in connection with Bousi P.S. Case No. 138 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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