

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54947 of 2017

Arising Out of PS.Case No. -77 Year- 2017 Thana -PUPRI District- SITAMARHI

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1. Hari Rai, S/o Ram Lakshman Rai,
2. Shyama Devi, W/o Hari Rai,
3. Ramesh Kumar, S/o Hari Rai,
4. Umesh Kumar, S/o Hari Rai, All are resident of Village- Bhutaha, P.S.-
Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. Sri Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 28-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Pupri Police Station Case No. 77 of 2017, disclosing
offences under Sections 363, 366A, 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that there is general and omnibus allegation against these
petitioners and no specific overt act is attributed to them. In fact,
the occurrence is alleged to have taken place on 05.03.2017
whereas the F.I.R. has been lodged on 08.03.2017 after lapse of
three days without explaining the plausible delay. The victim in
her statement recorded under Section 164 of the Cr.P.C. has



denied the allegations leveled in the F.I.R. against these petitioners and categorically stated that she out of her sweet will solemnized marriage with Atish in Nepal, which is evident from annexure-2. Moreover, according to medical examination report, the age of victim girl has been assessed as 18-19 years and declared as major, which is evident from annexure-3. Hence, the petitioners deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi, in connection with Pupri Police Station Case No. 77 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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