

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1217 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

=====

1. Lachho Devi w/oDevan Singh
2. Devan Singh, s/o Subhuk Lal Singh,
Both are residents of village-Patnaha, P.S.-Chautham, Khagaria.
.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Binod Kumar

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 21-08-2017 Heard the parties.

The appellants are apprehending their arrest in Chautham P.S. Case No.58 of 2016 for the offence under Sections 363, 366A, 341, 323, 504/34 of I.P.C. and 3/4 of SC/ST (Prevention of atrocittis)Act.

Allegation as per the F.I.R. against appellant no.1 is that she had taken the minor daughter of the informant away on false pretext. So far appellant no.2 is concerned, there is only allegation of abusing and assaulting the son and the husband of the informant along with other co-accused persons.

Submission of the learned counsel for the appellants is that there is no case of Section 366(A) as made out and at best appellant no.1had enticed away the victim girl. So far appellant no.2 is concerned, there is only allegation of abusing and mar pit



against him when the informant went to enquire about her daughter.

Heard learned Special A.P.P. also who opposed the prayer and submitted that appellant no.1 had taken the victim girl away on false pretext and thereafter she is traceless. So far appellant no.2 is concerned, there is specific allegation of abusing and mar pit of the son and the husband of the informant.

Having heard both sides and in view of the facts and circumstances, as stated above, so far case of appellant no.1 is concerned, I am not inclined to extend the privilege of anticipatory bail, rather she is directed to surrender before the court below and pray for regular bail who shall consider on its own merit and pass an appropriate order and, if possible, on the same day without being prejudiced by this order.

So far appellant no.2, above named, is concerned, let him in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria, in Chautham P.S. Case No. 58 of 2016 subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court and they



will co-operate in the trial and appear before the court on each and every date fixed in the case, failing which his bail bond will be cancelled.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

U			
---	--	--	--

