

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60357 of 2017

Arising Out of PS. Case No.-125 Year-2017 Thana- SANGRAMPUR District- East
Champaran

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1. Shivdeni Devi, W/o Shivjee Sah,
 2. Shivjee Sah S/o Late Yadunandan Sah,
 3. Vinay Sah @ Binay Sah S/o Shivjee Sah, All R/o Village- Sangrampur Barai Tola, P.S.- Sangrampur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. SRI NITYANAND

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned counsel for the parties.

The petitioners being the parents and brother of main accused Brajesh Kumar, are apprehending arrest in a case registered for the offences punishable under sections 363, 366A and 504 of the IPC.

The prosecution case is of kidnapping the minor daughter of the informant by Brajesh Kumar. When the informant and others went to the house of Brajesh, the petitioner and others abused and assaulted the informant.

It is submitted by learned counsel for the petitioners that the victim got her age recorded in 164 Cr.P.C. statement as 21 years whereas the court assessed her age as 20 years, while she



stated that she, of her own, married with Brajesh Kumar and now she is carrying pregnancy of one month. In 164 Cr.P.C. statement the victim has not named these petitioners. The impugned order further suggests that the learned Public Prosecutor has suggested that the police has not filed any requisition for issuance of warrant of arrest against the petitioners.

Considering the 164 Cr.P.C. statement of the victim and the thrust of accusation against co-accused Brajesh Kumar, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 14th ACJM, Motihari, East Champaran in connection with Sangrampur P.S. Case No.125 of 2017.

(Dinesh Kumar Singh, J)

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