

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27714 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Anil Kumar Jha @ Anil Jha son of Late Suresh Jha,
 2. Lovely Kumar daughter of Sri Anil Jha,
 3. Sanjiv Kumar Jha son of Sri Vishwanath Jha All resident of Village-
Dudhiyawa, P.S.- Paharpur, District- East Champaran, At Present, Village-
Jabdaul, P.S.- Chanpatia, District- West Champaran.
 4. Rajiv Kumar Jha @ Babul Jha @ Raju Kumar Jha, son of Sri Vishwanath
Jha, resident of Village- Jabdaul, P.S.- Chanpatia, District- West
Champaran.
 5. Khagendra Kumar Sharma son of Sri Rajaram Sharma resident of
Village- Mahnagani, P.S.- Bettiah Muffasil, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**
ORAL ORDER

2 20-07-2017 Heard both sides.

The petitioners apprehend their arrest in Paharpur
P.S. Case No. 16 of 2017, registered for the offences punishable
under Sections 341, 323, 327, 379, 420, 466, 467, 471 and 120B
of the Indian Penal Code and Sections 9/10 of the Child Marriage
Restrained Act.

Learned counsel for the petitioners submits that the
informant has earlier lodged Motihari Town P.S. Case No. 588 of
2016 for kidnapping of his daughter against the petitioners and
others. The daughter of the informant made her statement under



Section 164 of the Code of Criminal Procedure and she disclosed that she voluntarily solemnized marriage with Sanjiv Kumar Jha. Thereafter, the police submitted final form finding the case false in Motihari Town P.S. Case No. 588 of 2016. The informant thereafter filed the Complaint Case No. 107 of 2017 on the basis of which the present FIR was registered. It is further submitted that from perusal of the complaint petition, it would appear that the informant made allegation that his daughter was minor but interpolation was made in her birth certificate and the informant got apprehension that the accused persons may file suit against him.

It appears that the daughter of the informant voluntarily left her house and solemnized marriage with Sanjiv Kumar Jha and the petitioners are relatives of Sanjiv Kumar Jha.

Considering the facts aforesaid and nature of allegation made against the petitioners, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Chief Judicial Magistrate, East



Champan at Motihari in Paharpur P.S. Case No. 16 of 2017,
Subject to the conditions as laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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