

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58109 of 2017

Arising Out of PS.Case No. -184 Year- 2017 Thana -MAHESI District- SAHARSA

- =====
1. Rita Devi, wife of Jayram Sharma,
 2. Jayram Sharma, son of late Ramphal Sharma, both residents of village - Jajauri, P.S. - Mahishi, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Mukund, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 19-12-2017

Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in **Mahishi P.S.**

Case No.184 of 2017 instituted for the offence under Section(s)
366-A/34 Indian Penal Code.

Counsel for the petitioners has submitted that victim girl has performed marriage with son of the petitioners and both are living happily as husband and wife. In respect of the aforesaid marriage, victim girl has filed a petition before the Sub-Divisional Judicial Magistrate, Saharsa, stating that she has performed marriage with Lalit Kumar Sharma out of her own sweet will. Aforesaid petition has been annexed as Annexure-3. Counsel for the petitioners has pointed out order-sheet of 06.10.2017, wherein, it has been mentioned by the learned SDJM, Saharsa, that age of the victim as per Aadhar Card is 19



years 25 days.

Petitioners are the parents of the boy with whom victim has performed marriage.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Mahishi P.S. Case No.184 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Saharsa**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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