

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65240 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- DHANKUND District- Banka

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1. Ganeshwari Mandal @ Gyaneshwari Mandal Son of Late Govind Mandal
 2. Kunti Devi Wife of Ganeshwari Mandal @ Gyaneshwari Mandal
 3. Shambhu Mandal Son of Ganeshwari Mandal @ Gyaneshwari Mandal
 4. Murari Mandal Son of Ganeshwari Mandal @ Gyaneshwari Mandal All Resident of Village-Lalsahiya P.S. Dhankund, Distt.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Section 366A/34 of the Indian Penal Code.

The prosecution case as per the written report of Manoj Yadav submitted to the Station House Officer of Dhankund Police Station is to the effect that on 23.03.2018 in the night after taking dinner the informant and his family members went to sleep. In the morning when the informant woke up he found his daughter Priti Kumari, aged about 15



years, missing. During search the informant came to know that his daughter has been kidnapped by Co-accused Navin Mandal for the purpose of marrying her. The informant further alleged that the all family members of Navin Mandal have connived in the kidnapping of the daughter of the informant.

It is submitted by learned counsel for the petitioners that in her statement recorded under Section 164 Cr.P.C., the victim has got her age recorded as 15 years but in medical examination, the age of the victim has been found below 18 years, as gets reflected from the impugned order itself. It is further submitted that the victim has not named the petitioners in her statement under Section 164 Cr.P.C. in the occurrence and she has further stated that she has performed marriage with co-accused Navin Mandal.

Learned APP submits that the petitioners are named in the FIR.

Considering the thrust of accusation against co-accused Navin Mandal coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand)



each with two sureties of the like amount each to the satisfaction
of learned Sub-divisional Judicial Magistrate, Banka in
connection with Dhankund P.S. Case No. 37 of 2018, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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