

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12284 of 2018

Arising Out of PS.Case No. -621 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Devendra Patel, S/o Kukari Patel,
 2. Meena Devi W/o Devendra Patel, Both are R/o Village- Kavaiya, P.S.-
Jharokhar, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Reena Sinha

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 28-02-2018

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
Sections 366 and 498/34 of the Indian Penal Code.

The prosecution case got initiated with the
written report of Bina Devi dated 21.12.2017 submitted to the
Station House Officer of Ghorasahan (Jharokhar) P.S., to the
effect that the informant performed the marriage of her daughter
namely, Pinki with Lalan Prasad in 2017. After having resided
for sometime at her in-laws place, the daughter of the informant
came to the informant's house. On 16.12.2017 the informant
along with her daughter went to ease out when the petitioners



along with their son Abhimanyu Patel kidnapped the daughter of the informant for the purpose of marriage.

It is submitted by learned counsel for the petitioners that in 164 Cr.P.C. statement the victim has stated that she went of her own sweet will to Nepal in the company of Abhimanyu Patel with whom she married and at present she is residing with him. The victim has not named the petitioners. Hence, as per the statement of the victim recorded under Section 164 Cr.P.C. neither any offence under Section 366 nor 498 of the Indian Penal Code is made out. Petitioners have simply been roped as an accused in the present case since they happen to be parents of Abhimanyu Patel. However, the victim has filed a petition retracting from her statement recorded under Section 164 Cr.P.C.

Considering the totality of the accusation, the thrust of accusation against Abhimanyu Patel and a statement has been 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 Chief Judicial Magistrate, East Champaran,
Motihari in connection with Ghorasahan (Jharokhar) P.S. Case
No. 621 of 2017, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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