

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2926 of 2018

Arising Out of PS.Case No. -309 Year- 2017 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. MANTU KUMAR SHARMA @ MANTU SHARMA
 2. Rintu Sharma @ Prerm Kumar Sharma @ Rentu Kumar Sharma
 3. Mithun Kumar Sharma @ Krishna Kumar Sharma
 4. Gayatri Devi
 5. Yogendra Sharma
 6. Mahadeo Sharma &
 7. Sabitri Devi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Paharpur P.S. Case No. 309 of 2017 instituted for the offence under Sections-366A/34 of the Indian Penal Code.

It is alleged in the written report that these petitioners along with other accused have kidnapped the minor daughter of the informant.

The victim has given her statement u/S 164 Cr.P.C. which is enclosed as Annexure-2. In her statement, the victim girl has stated her age to be 20 years but the court has assessed her age as 16 years. She has stated in her statement that she had gone voluntarily from the house because of torture by her family members in the house. She had



gone to Delhi. She was not kidnapped by anybody. She knew petitioner No. 1 for the last one year.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Paharpur P.S. Case No. 309 of 2017 to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari subject to condition as laid down u/S 438(2) of the 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 liable to 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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