

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22139 of 2018

Arising Out of PS.Case No. -409 Year- 2016 Thana -MOTIHARI MUFASIL District- EAST
CHAMPARAN (MOTIHARI)

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1. Pinki Devi, Wife of Bunnilal Sahani,
2. Bigan Devi, Wife of Khublal Sahani.
3. Bunnilal Sahani, Son of Bhikhari Sahani.
4. Mohan Sahani, son of Bhikhari Sahani.
All resident of Village- Patkhauliya, P.S.- Motihari Muffasil, District- East
Champaran.

.... Petitioners

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
Mr. Abhishek Kumar @ Sonu Babu, Advocate
Ms. Rashmi Jha, Advocate
For the Opposite Party/s : Dr. Indivar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Muffasil P.S. Case No. 409 of 2016 registered under
Sections 366A and 120B of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that though the alleged offence of abduction of the
victim took place on 13th July, 2016, the FIR was registered on
03.11.2016. It is further submitted that after recovery, the victim
was alleged before the court of Magistrate and her statement was



recorded under Section 164 of the Code of Criminal Procedure in which she has not uttered name of the petitioners.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners. He submitted that in her statement made under Section 164 of the Code of Criminal Procedure, the victim has named Chotan Sahani and Rambabu Sahani, who are family members of the petitioners.

Considering the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial, Magistrate, East Champaran, Motihari in connection with Muffasil P.S. Case No. 409 of 2016 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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