

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48662 of 2017

Arising Out of PS.Case No. -130 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR
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1. Chanda Devi W/o Vijay Sah
2. Santosh Kumar S/o Manoj Sah
3. Puja Kumari D/o Late Garib Nath sharma All Resident of mohalla-
Hrahampura behind Triloki Nath Temple, P.S.- Hrahampura, Dist.-
Muzaffarpur
4. Sita Devi W/o Nand Kishore Sah
5. Mukesh Kumar S/o Nand Kishore Sah Both Resident of village- Muraul,
P.S.- Pear, Dist.- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 04-01-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Brahmpura P.S. Case
No. 130 of 2015 instituted for the offence under Sections-363, 366 of
the Indian Penal Code.

Counsel for the petitioner has submitted that the victim girl
has on recovery given statement u/S 164 Cr.P.C. stating that she has
voluntarily married with Mukesh Kumar.

In the written report, the informant has made allegation that
his minor daughter was kidnapped by Mukesh Kumar and other
accused persons as named in the written report. The victim girl in her
statement u/S 164 Cr.P.C. has clearly stated that she had gone to Delhi



voluntarily and she has not been kidnapped by anyone and she has also performed marriage with Mukesh Kumar voluntarily. The petitioners are family members of Mukesh Kumar.

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 Brahmpura P.S. Case No. 130 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur 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 be liable to cancel their bail bond 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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