

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54306 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -NAANPUR District- SITAMARHI

- =====
1. Ram Pravesh Sahani son of Suraj Sahani
 2. Marani Devi wife of Ram Pravesh Sahani Both residents of village Kurhar, Police Station Nanpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioners as well as learned APP.

In absence of informant, Raju Kumar who happens to be the son of petitioners has gone to the place of informant and on false pretext, as alleged, took away, Ranju Kumari, a minor. She was allowed to accompany by her elder daughter. Thereafter, her elder daughter informed her that as directed by her, she has allowed the victim to accompany with Raju Kumar. Then thereafter, it has been said that after returning from Sitamarhi, informant has gone to the place of petitioners where they were present. She inquired from them whereupon, they abused, threatened of dire consequences. She made hectic search but could not traced her out. She had also disclosed that at the time of departure her daughter, had also taken away Rs. 5000/-.



Presence of petitioners at their house speaks otherwise than, as suspected by the informant. Apart from this, victim has been traced out and her statement under Section 164 CrPC (Annexure-3) has been recorded wherein, she has categorically stated that she had gone to Nepal, place of her Mausi where she remained for quite a long time without informing her.

Be that as it may, taking away Rs. 5000/- by the victim is indicative of the fact that she had a plan to accompany Raju Kumar since before and getting an opportunity, they both eloped on false pretext.

As such, petitioners, Ram Pravesh Sahani and Marani Devi are directed to be released on bail, in the event of his arrest /surrender, before the learned lower court within fortnight 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, Pupari, Sitamarhi in connection with Nanpur PS Case No.08/2018, in terms of condition as laid down under Section 438(2) Cr.P.C.

(Aditya Kumar Trivedi, J)

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