

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63959 of 2018

Arising Out of PS. Case No.-331 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Lalbabu Ram Son of late Gorakh Ram
2. Rambabu Ram Son of late Gorakh Ram
3. Binod Ram Son of late Gorakh Ram
4. Gayatri Devi wife of Lalbabu Ram All are Resident of Village- Kuarapatti, Police Station- Shanichari District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lalan Kumar Verma
For the Opposite Party/s : Mr. Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-12-2018 Heard the learned counsel for the petitioners and

the State.

The petitioners seek bail in anticipation of their arrest in connection with Jogapatti P. S. Case No. 331 of 2018 dated 24.06.2018 instituted for the offences under Sections 363, 366(A) and 34 of the Indian Penal Code and Section 8 of the POCSO Act, 2012.

The allegation in the F.I.R. is that when the wife and daughter of the informant had gone out in the night to attend to the call of nature, one Arjun Ram alias Jainath along with two persons came on a motorcycle and abducted



the minor daughter of the informant.

Learned advocate appearing for the petitioner has submitted that the so called victim has been recovered and has given her statement under Section 164 of the Cr.P.C. that she has married Arjun Ram alias Jainath of her own volition and that nobody had pressurized her for such relationship. It has further been submitted on behalf of the petitioners that though the daughter of the informant has disclosed her age to be 17 years but in the medication examination report regarding her age, the assessment of the age is between 17-19 years.

Apart from this, learned counsel appearing for the petitioner has drawn the attention of this Court to the F.I.R. wherein the petitioners are only alleged to have misbehaved with the informant when he had gone to their house for inquiring the whereabouts of his daughter. Incidentally, petitioner nos. 1 and 4 are the father and mother of aforesaid Arjun Ram alias Jainath, whereas petitioner nos. 2 and 3 are brothers of petitioner no.1.

Regard being had to the aforesaid facts as also to



that they do not bear any criminal antecedents, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Additional Sessions Judge, 1st cum Special Judge, Bettiah, West Champaran in connection with Jogapatti P. S. Case No. 331 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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