

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69378 of 2018

Arising Out of PS. Case No.-221 Year-2018 Thana- GOVINDGANJ District- East
Champaran

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1. Malti Devi, Wife of Kameshwar Tiwary,
2. Kameshwar Tiwary, Son of Hari Tiwary,
Both Resident of Village-Kanchhedwa, P.S.-Govindganj,
District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2018 The petitioners seek bail in anticipation of their arrest in connection with Govindganj (Areraj) P.S. Case No. 221 of 2018, dated 05.08.2018, instituted for the offences under Sections 363, 365 and 366A of the Indian Penal Code and Section 6 of the POCSO Act, 2012.

The informant has alleged that whenever he came out of his house, the petitioners and their son threatened him that now they are all on bail in connection with a case of kidnapping of his daughter. The petitioners are also alleged to have told the informant that whatever be the



circumstances, his daughter shall not be given to him.

Mr. Umesh Chandra Verma, the learned counsel for the petitioners has submitted that earlier the informant had filed a case against the petitioners and their son *vide* Govindganj (Areraj) P.S. Case No. 89 of 2018 for having abducted his daughter for the purposes of marrying her to one Akhilesh, son of the petitioners. In the aforesaid case, the victim girl gave her statement under Section 164 Cr.P.C. that she has married the son of the petitioners of her own volition and without there being any pressure from any quarter. In fact, she also complained of ill-treatment to her by her father (informant). Considering the aforesaid facts, the petitioners as well as their son were granted bail in the aforesaid Govindganj (Areraj) P.S. Case No. 89 of 2018. The present F.I.R. is only an offshoot of the earlier case lodged by the informant.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present



order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, POCSO Act, East Champaran, Motihari in connection with Govindganj (Areraj) P.S. Case No. 221 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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