

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.22151 of 2018

Arising Out of PS.Case No. -788 Year- 2017 Thana -BIHTA District- PATNA

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1. Ram Prakash Ram @ Prakash Ram, S/o Late Gopal Ram
 2. Sonu Ram @ Sonu Kumar, S/o Ram Prakash Ram
 3. Rukmaniya @ Fekani Devi @ Rukmaniya Devi W/o Ram Prakash Ram
- All Resident of Rajpur, Dariyapur, Police Station- Bihta, District- Patna.

.... Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, 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 Bihta P.S. Case No. 788 of 2017 registered under Sections
363, 366A of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioners that though the petitioners are named in the first
information report, upon recovery the victim did not utter a word
against them in her statement recorded under Section 164 of the



Cr. P.C. He submitted that they have been implicated in the present case only because petitioner no.1 Ram Prakash Ram @ Prakash Ram and petitioner no.3 Rukmaniya @ Fekani Devi @ Rukmaniya Devi happen to be father and mother respectively of the co-accused Monu Kumar and petitioner no.2 happens to be brother of co-accused Monu Kumar with whom the victim had eloped.

On the other hand, learned counsel for the State submitted that from perusal of the statement of the victim recorded under Section 164 of the Cr. P.C., it would transpire that she is a minor girl aged about 15 years only and she was forcibly taken by co-accused Monu Kumar from Jamnagar, Gurajat.

Be that as it may, Considering the statement of the victim recorded under Section 164 of the Cr. P.C. as contained in Annexure-2 to the present application wherein she has not attributed any role of the petitioners in the alleged abduction, in the event of arrest or surrender in the court below within six weeks from today, they 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 A.C.J.M., Danapur in connection with Bihta P.S. Case
No. 788 of 2017 subject to the conditions as laid down under
Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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