

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.47615 of 2018**

Arising Out of PS. Case No.-202 Year-2017 Thana- RAGHUNATHPUR District- Siwan

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1. Sunita Devi wife of Subhash Sah
2. Subhash Sah son of Ramashish Sah Both are residents of village - Parhiya, Police Station - Raghunathpur, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

|                          |   |                                            |
|--------------------------|---|--------------------------------------------|
| For the Petitioner/s     | : | Mr. Subash Pandey<br>Mr. Ajay Kumar Tiwary |
| For the Opposite Party/s | : | Mr. Sri Satyadev Prasad Singh Yadav        |
| For the Informant        | : | Mr. Ajay Kumar Pandey<br>Mr. Sandeep Kumar |

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

5      13-12-2018                      Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 363, 366(A)/34 of the Indian Penal Code.

Petitioners are uncle and aunt of co-accused, *Vikash Sah*.

Allegation is of commission of kidnapping of the daughter of the informant. On recovery, the victim in her statement recorded under Section 164 of the Code of Criminal Procedure stated that she was not kidnapped by anyone, rather she had voluntarily gone with *Vikash* and married with *Vikash*.



Learned counsel for the informant opposed the prayer for anticipatory bail on the ground that victim is in the clutches of the accused persons. Hence, her statement is not voluntary.

The Doctor has assessed the age of the victim girl between 18-19 years.

Considering the entire facts, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Raghunathpur Police Station Case No.202 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

**(Birendra Kumar, J)**

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