

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.137 of 2018

Arising Out of PS.Case No. -51 Year- 2017 Thana -MORKAHI District- KHAGARIA

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1. Rajia Devi, Wife of Phool Chandra Sada.
2. Phool Chandra Sada. Son of Bangali Sada,
3. Ashok Sada, Son of Bangali Sada, All residents of Village Betha Police
Station Morkahi Distt. Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 16-01-2018

Heard both sides.

The petitioners apprehend their arrest in Morkahi
P.S. case No. 51 of 2017 under Section 366A/34 of the Indian
Penal Code and under Section 34 of POCSO Act.

The informant alleged that he had come to his
Sasural along with his daughter. His daughter went to attend the
call of nature but she did not return. The informant alleged that
Vikash Sada enticed his minor daughter and petitioners, Rajiya
Devi, Phool Chandra Sada, Ashok Sada and others helped Vikash
Sada.

The learned counsel for the petitioners submits that
victim made her statement under Section 164 of the Cr. P. C. and



she disclosed that she voluntarily fled away from her house along with Vikash Sada and solemnized marriage with him. The victim is living with her husband. She did not disclose the name of petitioners.

Considering the facts that victim herself denied the allegation of kidnapping and she stated that she voluntarily left the house and went along with Vikash Sada, 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 this order are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Khagaria in connection with Morkahi P.S. case No. 51 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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