

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19156 of 2018

Arising Out of PS.Case No. -150 Year- 2016 Thana -HARLAKHI District- MADHUBANI

- =====
1. Satrugan Yadav @ Satrudhan Yadav @ Shatrugan Yadav, son of Kishori Yadav, resident of village- Barhi, P.S.- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khusbu Kumari, daughter of Anul Kumar Yadav, wife of Satrugan Yadav @ Satrudhan Yadav, resident of village- Barhi, P.S.- Harlakhi, District- Madhubani.
3. Hema Devi, w/o Anil Kumar Yadav, resident of village- Sothigaon, P.S.-Harlakhi, District-Madhubani.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gopal Jha, Advocate
For the Opposite Party No.1: Mr. S. Ehteshamuddin, APP
For the Opposite Party No.2: Mr. Rajeev Ranjan, Advocate
For the Opposite Party No.3: Mr. Manish Kumar No.13, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 03-07-2018

Heard counsel for the parties.

Petitioner apprehends his arrest in **Harlakhi P.S.**

Case No.150 of 2016 instituted for the offence under Section(s)
363, 366-A/34 Indian Penal Code.

Opposite Party No.2-victim is physically present in
Chambers. Petitioner is not present.

Opposite Party No.2-victim has submitted that she
has voluntarily married with petitioner and is living with him in
Nepal as husband and wife. She has one child aged about eleven
months out of the wedlock. She has further stated that she has not



given any statement in Court prior to appearing before this Court in Chambers.

Counsel for the Opposite Party No.2-victim submits that she has not given any statement in Court as she has apprehension from her family members.

In such circumstances, this anticipatory bail application is disposed off with direction to the victim-Opposite Party No.2 to appear in the Court below i.e. **Sub-Divisional Judicial Magistrate, Benipatti**, in connection with **Harlaskhi P.S. Case No.150 of 2016** within a period of four weeks from the date of receipt of copy of this order in the Court below and file necessary application in the Court below for recording her statement under Section 164 Cr. P. C. Thereafter, the Court below will record her statement under Section 164 Cr. P.C. In the event, the victim supports the statement as made by her in Chambers that she has voluntarily married with the petitioner, and the Court below finds that victim is major, the Court below will release the petitioner on anticipatory bail on his surrender within three weeks from the date of recording statement of victim under Section 164 Cr. P.C. on the surety to be fixed by the Court below itself.

It is made clear that victim-Opposite Party No.2 will



file necessary petition before the Superintendent of Police, Madhubani, to give her protection for recording her statement under Section 164 Cr. P.C. in the Court below. The Superintendent of Police, Madhubani will provide necessary protection to her so that her statement under Section 164 Cr. P.C. may be recorded.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

