

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8157 of 2018

Arising Out of PS.Case No. -248 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

- =====
1. Rakesh Prasad @ Rakesh Kumar Prasad, S/o Shree Goga Bhagat, R/o Village- Chainpur, P.S.- Chainpur, District- Siwan.
 2. Poonam Kumari D/o Jagalal Bhagat, R/o Village- Hahwa, P.S.- Mahrajganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 02-04-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Maharajganj P.S. Case No. 248 of 2016 for the offence registered under Sections 363 and 365 of the Indian Penal Code.

After some arguments, the learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail petition as far as the petitioner no. 1 is concerned.

Accordingly, the present anticipatory bail petition qua the petitioner no. 1 is concerned, is disposed of as withdrawn.

The allegation against the accused persons is regarding them having accompanied the victim girl and they are



said to have taken the victim girl to Haridwar and thereafter to Kolkata.

The learned counsel for the petitioners submits that as far as the present case is concerned, the victim girl in her statement under Section 164 Cr.pc. has not alleged any allegation of untoward incident and further has not alleged any overt act against the petitioner no. 2. It is further stated that the petitioner is having a clean antecedent.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner no. 2, namely, Poonam Kumari to the privilege of anticipatory bail in the event of her arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Maharajganj P.S. Case No. 248 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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