

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34506 of 2018

Arising Out of PS.Case No. -78 Year- 2018 Thana -KONCH District- GAYA

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1. Bhim Singh, Son of Late Mahipat Mahto @ Mahipat Koeri,
2. Shobha Rani, Wife of Bhim Singh,
3. Vikram Kumar, Son of Bhim Singh,
4. Deepak Kumar, Son of Bhim Singh, All are resident of Village- Maricha
(Raganiya), P.S.- Amas, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018

Heard both sides.

The petitioners apprehend their arrest in Konch P.S.
Case No.78 of 2018 registered under Sections 344, 313, 493, 506,
34 of the Indian Penal Code.

The informant alleged that Santosh Kumar, the son of
the petitioners kidnapped her on the pretext of marriage and
established physical relation with her. Santosh Kumar sexually
exploited her for years but he did not solemnized marriage with
the informant. The informant alleged that petitioners being the
father, mother and brothers of Santosh Kumar also assured to get
her married with Santosh Kumar but later on, they refused to



recognise the informant.

The learned counsel for the petitioners submits that the informant herself alleged that Santosh Kumar kidnapped her. Prior to this case Konch Case No.40 of 2016 was registered for kidnapping of the informant against Santosh Kumar. No offence under any of the Section of I.P.C. is made out against the petitioners.

Taking into Consideration the facts that petitioners are father, mother and brothers of Santosh Kumar and no role is assigned on them in kidnapping of the victim and also the fact that victim appears to be major girl, 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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. III, Gaya in connection with Konch P.S. Case No.78 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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