

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2659 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- RAJPUR District- Rohtas

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1. Ram Prasad Seth @ Ramjee Sonar , son of Late Ram Pravesh Seth Resident of Village - Rajpur, PS- Rajpur, District - Rohtas
 2. Rekha Devi, wife of Ram Prasad Seth alias Ramjee Sonar Resident of Village - Rajpur, PS- Rajpur, Distt - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashray Roy

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 366(A) IPC registered in connection with Rajpur P.S.Case No. 31/2018.

3. It is submitted that the petitioners have been falsely implicated merely because they happen to be the parents of Shibu Kumar with whom the daughter of the informant had eloped. It is submitted that the so-called victim girl's statement has been recorded under Section 164 Cr. P.C, according to which she has categorically stated that she voluntarily went with Shibu Kumar and solemnised marriage in temple. As such, it is submitted that the ingredients of offences under Section 366(A) IPC are not made out against the petitioners. The petitioners claim clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of learned SDJM, Bikramganj, Rohtas, in connection with Rajpur P.S. Case No. 31/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner no. 1 shall remain physically present and petitioner no. 2 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

Chandran/-

(Vikash Jain, J)

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