

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11240 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- KOTWA District- East Champaran

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1. Ram Jalan Sah, aged about 45 Years (Male), Son of Late Ramagya Sah.
 2. Malti Devi, aged about 42 Years (Female), Wife of Ram Janam Sah, both residents of Village -Dahaur Chhapara, Police Station-Sheohar, District-Sheohar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Pushpendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 366 and 366(A)/34 of the IPC.

The prosecution story, in brief, is that on the date, time and place of occurrence, the petitioners and other co-accused persons have kidnapped the minor daughter of the informant, namely, Sumitra Kumari, aged about 13 years, for the purpose of marriage.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged



against the petitioners. The petitioners have falsely been implicated in the present case. The victim girl has been examined under Section 164 Cr. P.C. There is no allegation of physical or sexual abuse made upon her. It is further submitted that the victim girl and the son of the petitioners were having love affairs and for the said reason, the victim girl had left with the son of the petitioners.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., East Champaran, Motohari, in connection with Kotwa P.S. Case No. 233 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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