

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18827 of 2019

Arising Out of PS. Case No.-33 Year-2015 Thana- AMAUR District- Purnia

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1. KAILASH KUMAR SAH @ KAILASH SAH, Male, aged about 51 years, Son of late Billu Sah
 2. Dulari Devi, Female, aged about 45 years, Wife of Sri Kailash Kumar Sah @ Kailash Sah
 3. Shravan Sah @ Shravan Kumar Sah, Male, aged about 44 years, Son of Late Billu Sah
- All three residents of Village - Bhawanipur, P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-04-2019 Heard both sides.

The petitioners apprehend their arrest in Amour P.S. Case No.33 of 2015 registered under Sections 366(A), 364 and 120(B) of the Indian Penal Code.

The informant named the petitioners along with Chintu Sah and others and alleged that while his daughter had gone to ease out, the petitioners forcibly kidnapped her.

Learned counsel for the petitioners submits that the story as disclosed by the informant is false and concocted. The victim is a major girl. She was more than 18 years on the date of occurrence which appears from the certificate issued by the Bihar State Madrasa Education Board, Patna(Annexure-2). The victim made her statement under Section 164 Cr.P.C. and the statement of the victim itself shows that the victim voluntarily accompanied Chintu Sah out of her love and affection to



different places. It is submitted that victim did not make any allegation that Chintu Sah or the petitioners committed any misdeeds or illegal activities with the victim. Chintu Sah has already been enlarged on bail vide order passed in Cr. Misc. No.7705 of 2016. Petitioners are father, mother and uncle of Chintu Sah. Later on, victim herself filed a petition denying her kidnapping.

Taking into consideration the facts aforesaid and the fact that the petitioners are parents and uncle of Chintu Sah, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Amour P.S. Case No.33 of 2015, consequent G.R. Case No.777 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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