

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26216 of 2019**

Arising Out of PS. Case No.-147 Year-2018 Thana- PARIHAR District- Sitamarhi

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1. RUDAL THAKUR Son of Rameshwar Thakur
 2. Bachiya Devi @ Bachchi Devi W/o Rudal Thakur,
Both Resident of Village-Sukki Mushharniya, P.S-Parihar, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur
Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-07-2019 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in connection with Parihar P.S. Case No. 147 of 2018, registered for offences punishable under Sections 366(A)34 of the Indian Penal Code.

Prosecution story is that the minor girl of the informant is traceless and she apprehends hands of Balmiki Kumar and other accused persons including the petitioners.

Submission of the learned counsel for the petitioners is that she has love affair with Balmiki Kumar and she *suo motu* eloped with Balmiki Kumar. Further submission is that they



have nothing to do with Balmiki Kumar and they have falsely been implicated in this case. They are aged about 65 and 60 years respectively and and it is also submitted that even in her statement under Section 164 Cr.P.C., she has not named the petitioner no.1 and so far petitioner no.2 is concerned, it has only been stated that she was also present in the Scorpio vehicle. Further submission is that the medical report shows that she was aged about 19 years.

Heard learned A.P.P. who has opposed the prayer for bail on the ground that the petitioner no.2 has been named in the statement recorded under Section 164 Cr.P.C..

Having heard both sides and also considering the age of the accused persons, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Parihar P.S.Case No.147 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.



With the aforesaid direction, this application is
allowed.

(Vinod Kumar Sinha, J)

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