

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37200 of 2019**

Arising Out of PS. Case No.-173 Year-2018 Thana- GOGRI District-
Khagaria

- =====
1. JAWAHAR MUNI, aged about 48 years, male, Son of Karmlal Muni Resident of Chhoti Maira, P.S.- Gogri (Paura), Distt - Khagaria.
 2. Batahi Devi, aged about 44 years, female, Wife of Jawahar Muni Resident of Chhoti Maira, P.S.- Gogri (Paura), Distt - Khagaria.
 3. Chano Muni, aged about 66 years, male, Son of Police Muni Resident of Village - Malia, P.S.- Gogri (Paura), Distt - Khagaria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Binod Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Section 366A of the Indian Penal Code registered in connection with Gogri P.S. Case No. 173 of 2018.

3. It is submitted that the petitioners have been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 Cr. P.C. wherein she has categorically stated that she had voluntarily gone to Chandigarh with Ranvir Kumar due to love affair. In her statement, she admitted herself to be of 19 years of age. It is further submitted that the petitioners are the father, mother and co-villager of the aforesaid Ranvir Kumar. It is therefore submitted that the ingredients of Section 366A of IPC are not satisfied. The petitioners claim clean antecedents.



4. Be that as it may, 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 Smt. Ankita Jaiswal, learned Judicial Magistrate 1st Class, Khagaria in connection with Gogri P.S. Case No. 173 of 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate 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) That the petitioner no. 2 shall be well represented in Court on each and every date during trial except as and when directed by the learned Court to be physically present in Court and petitioner nos. 1 and 3 shall remain physically present in Court on each and every date, 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.

(Vikash Jain, J)

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