

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37049 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- RIVILGANJ District- Saran

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1. RAJ KUMAR PANDEY S/o Late Harihar Pandey R/o village- Kanhauli, P.S.- Baniapur, District- Saran
 2. Raj Kumari Devi W/o Raj Kumar Pandey R/o village- Kanhauli, P.S.- Baniapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-09-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Revilganj P.S.Case No.363 of 2018 , registered for offences punishable under Sections 364, 366, 120(B), 34 of the Indian Penal Code.

Prosecution case is that the daughter of the informant had gone along with the petitioner and other family members to see Semaria Mela and from there she is traceless and later on from the investigation it appears that she was found along with one Raju Sharma and in her statement under Section 164 Cr.P.C. she disclosed the name of the petitioner no.2 that she provided sweets to her and thereafter she became unconscious



and found herself at Chapra along with Raju Sharma and further stated that rent was being paid by the petitioners.

Submission of the learned counsel for the petitioners is that the falsity of the statement recorded under Section 164 Cr.P.C. will appear from the fact that the police has found her residing at Chapra for last four months and she has neither raised any *hulla* nor made any complaint to the neighbours . Further father-in-law and the mother—in-law have made allegation against the husband of the victim girl but in spite of the fact these petitioners have been made accused in this case and they are ready to abide by any condition imposed upon him.

Heard learned A.P.P. , who has opposed the prayer for bail .

Having heard both sides and considering the age of the petitioners, let the petitioners, above named, surrender before the learned court below within a period of two weeks from the date of receipt of the order and on surrender they will 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, Saran in connection



with Revilganj P.S.Case No.363 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation and appear as and when required otherwise their bail bond shall be cancelled.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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