

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40613 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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1. PAPPU MISHRA @ RAVIKANT MISHRA @ SHIVAKANT MISHRA @ PAPPU KUMAR MISHRA S/o Laxman Mishra R/o village- Belwa (Chatkal), P.S.- Lauria, Distirct- West Champaran
 2. Sulekha Devi W/o Pappu Mishra @ Ravikant Mishra R/o village- Belwa (Chatkal), P.S.- Lauria, Distirct- West Champaran
 3. Shilpi Kumari D/o Pappu Mishra @ Ravikant Mishra R/o village- Belwa (Chatkal), P.S.- Lauria, Distirct- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 04-09-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 363, 366(A), 120B, 379, 34 of the Indian Penal Code registered in connection with Bettiah (Town) P.S. Case No. 153 of 2019.

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 accompanied Sachin Kumar Mishra to Rajasthan and solemnised marriage with him. In her deposition the victim girl has admitted her age to be of 19 years and according to the medical report her age has been assessed between 19-20 years. The petitioners have been implicated merely because they happen to be the father, mother and sister of the co-accused Sachin Kumar Mishra. 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 learned CJM, West Champaran, Bettiah, in connection with Bettiah (Town) P.S. Case No. 153 of 2019, 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 shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate 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. The petitioner no.1 shall remain physically present and the petitioner nos. 2 and 3 shall be well represented in Court on each and every date during trial 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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