

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40524 of 2019

Arising Out of PS. Case No.-256 Year-2018 Thana- MAHARAJGANJ District- Siwan

1. BASAWAN SAH, aged about 58 years, Male, Son of Shivjee Sah, Resident of Village - Pasnauli Punaini Mathiya, P.S.- Maharajganj, District - Siwan
 2. Lalsa Devi, aged about 48 years, Female, Wife of Basawan Sah, Resident of Village - Pasnauli Punaini Mathiya, P.S.- Maharajganj, District - Siwan
- ... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Tiwary, Adv.
For the Opposite Party : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Maharajganj P.S. Case No. 256 of 2018 for the offences alleged under Sections 376 and 34 of the Indian Penal Code and 4 and 8 of the Protection of Children from Sexual Offences Act.

The accusation is of kidnapping of daughter of the informant, aged about 16 years, by his co-villagers Vikas Kumar, Rajiv Sah and Suraj Kumar for the purpose of marriage. When the informant came to the house of the Rajiv Sah, Vikas Kumar abused the informant.

The learned counsel appearing for the petitioners submits that in fact there was love affairs between the daughter



of the informant and Vikas Kumar and petitioners being the parents of Vikas Kumar were not ready to keep the girl and due to that reason they have been implicated in this case.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Maharajganj P.S. Case No. 256 of 2018 shall be released on pre-arrest bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge I-cum-Special Judge, Siwan, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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