

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46922 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- SUGAULI District- East Champaran

1. AJAY KUMAR PRASAD, aged about 25 years, Male, Son of Dhrub Prasad, Resident of Village - Chiljhapti, P.S.- Sugauli, Distt - East Champaran
2. Dhrub Prasad, aged about 45 years, Male, Son of Late Mangal Prasad, Resident of Village - Chiljhapti, P.S.- Sugauli, Distt - East Champaran
3. Usha Devi, aged about 43 years, Female, Wife of Dhrub Prasad, Resident of Village - Chiljhapti, P.S.- Sugauli, Distt - East Champaran
4. Vijay Kumar Prasad @ VIJAY PRASAD, aged about 23 years, Male, Son of Late Parshuram Prasad, Resident of Village - Chiljhapti, P.S.- Sugauli, Distt - East Champaran
... Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners	:	Mr. Ajay Kumar Singh, Adv.
For the State	:	Mr. Lakshmi Kant Sharma, APP
For the Informant	:	Mr. Arvind Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 30-07-2019 Heard learned counsel for the petitioners, the learned counsel for the informant and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Sugauli P.S. Case No. 96 of 2019 for the offences alleged under Sections 363, 366A and 34 of the Indian Penal Code.

The accusation is that on 21.02.2019 the daughter of the informant, who was student of Class X had gone to attend coaching, but, she did not return. In course of search, Kripa Sharma and Jitendra Kumar Sharma told the informant, Arun



Sharma, that his daughter was seen with Ajay Kumar Prasad (petitioner no. 1) in a tempo. Informant claimed that his daughter has been enticed away by the petitioner for flesh trading.

Learned counsel appearing for the petitioners submits that in fact daughter of the informant moved with the petitioner no. 1 along with other petitioners and performed marriage in Arya Samaj Temple, Delhi, and the statement of the daughter of the informant under Section 164 of the Criminal Procedure Code was recorded on 22.04.2019. Further submission is that while according to the certificate the victim was aged about 15 years at the time of occurrence, but, in medical examination her age was assessed between 17 to 18 years.

Learned Additional Public Prosecutor for the State and the learned counsel for the informant opposed 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 Sugauli P.S. Case No. 96 of 2019 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 Chief Judicial Magistrate, East Champaran at Motihari, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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