

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55196 of 2019

Arising Out of PS. Case No.-96 Year-2019 Thana- LAURIA District- West Champaran

1. HARILAL PATEL S/o Late Bhagwat Patel, Residence of Village- Mangurahan Naya Basti, P.S.- Lauriya, District- West Champaran, Bettiah.
2. Laila Devi Wife of Harilal Patel, Residence of Village- Mangurahan Naya Basti, P.S.- Lauriya, District- West Champaran, Bettiah.
3. Shatrughan Patel S/o Harilal Patel, Residence of Village- Mangurahan Naya Basti, P.S.- Lauriya, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-09-2019 Heard both sides.

Petitioners apprehend their arrest in Lauriya P.S. Case No.96 of 2019 registered under Sections 366A and 34 of the Indian Penal Code and under sections 8 and 10 of the POCSO Act.

The informant alleged that his daughter had gone to attend the call of nature but she did not return. The informant came to know that Ashok Patel along with the petitioners, who are father, mother and brother of Ashok Patel, kidnapped his daughter.

Learned counsel for the petitioners submits that the petitioners are father, mother and brother of Ashok Patel. The petitioners have been implicated in the case only because in panchayati, petitioners are said to have assured the informant



about safe return of his daughter but later on the daughter of the informant returned and she made her statement under Section 164 of the Cr.P.C. The doctor also found the victim above 19 years and below 20 years and no sign of rape was found on her.

Having considered the facts and the nature of allegations made against the petitioners and the fact the petitioners are father, mother and brother of Ashok Patel, who is said to have kidnapped the victim, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (ST/SC/POCSO), Bettiah, West Champaran in connection with Lauriya P.S. Case No.96 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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