

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55608 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

1. Gauri Devi, Wife of Bhagwan Paswan Resident of Village- Kashichak, P.S.- Piri Bazar District- Lakhisarai.
2. Krishna Paswan, Son of Bhagwan Paswan Resident of Village- Kashichak, P.S.- Piri Bazar District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Piri Bazar P.S. Case No.73 of 2019 for the offence punishable under Sections 363, 366/34 of the Indian Penal Code.

The allegation against the petitioners, as mentioned in the FIR is that daughter of the informant had gone to attend natural call but she did not return. It has further been alleged that informant has believed that Suraj Kumar has abducted his daughter for the purpose of marriage and in his illegal act, petitioners have supported him.

Learned counsel appearing for the petitioners submits



that petitioners have unnecessarily been dragged in this case inasmuch as there was love affairs between the son of the petitioner No.1 with victim girl. Learned counsel further submits that victim girl has been recovered and her statement under Section 164 Cr.P.C. has been recorded by the learned Magistrate and a copy of which has been produced during the course of argument by learned counsel appearing for the petitioners. Learned counsel relying upon the said submits that nothing against the petitioners have been alleged by the victim girl and she has stated that the victim girl had eloped with his batch mate Suraj Kumar and had gone to Delhi.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that petitioner No.1 is mother of co-accused Suraj Kumar and petitioner No.2 is brother of co-accused, Suraj Kumar and from statement made under Section 164 Cr.P.C. it appears that nothing has been stated against these petitioners by the victim girl, as such, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, both the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender



by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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