

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74970 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- BHAGWANPUR District- Vaishali

1. KANCHAN RAI @ KANCHAN KUMAR RAY Son of Amresh Rai @ Amresh Ray Resident of Village - Akbarpur Sathiauta Bhagwan, Ward No. 7, P.S.- Bhagwanpur, Distt - Vaishali.
2. Amresh Rai @ Amresh Ray Son of Babaji Rai Resident of Village - Akbarpur Sathiauta Bhagwan, Ward No. 7, P.S.- Bhagwanpur, Distt - Vaishali.
3. Lali Devi @ Lala Devi @ Lelo Devi Wife of Amresh Rai @ Amresh Ray Resident of Village - Akbarpur Sathiauta Bhagwan, Ward No. 7, P.S.- Bhagwanpur, Distt - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s :	Mr.Chhote Lal Mishra
For the Opposite Party/s :	Mr.Nagendra Prasad

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in a case registered under Sections 363, 366A/34 of Indian Penal Code.

It is submitted by the learned counsel representing the petitioners that the entire prosecution case, at the instance of father of the victim, is belied by the victim's own statement recorded in Court wherein she has specifically stated that she was not kidnapped and on her own volition, she has solemnized marriage with petitioner No 1 and that she is major. Petitioners, in the circumstances, are apprehending their arrest. They have no criminal antecedent.

Learned APP for the State has opposed the prayer.



Considering the aforesaid submissions, petitioners' prayer for bail is allowed.

Let the petitioners above named, in the event of their arrest or surrender within four weeks from today, shall be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate III, Vaishali, Hajipur in Bhagwanpur Police Station Case No 76 of 2019 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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