

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10647 of 2020

Arising Out of PS. Case No.-117 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Anjali Kumari, aged about : - 18 years (F), D/O:- Subash Sah
2. Ramawati Kunwar @ Ramawati Devi, aged about:-65 years (F) W/O:-
Ramjee Sah
3. Chandan Kumar @ Chandan Kumar Sah, (M) aged about :- 19 years , S/o
Subash Sah
All resident of village:- Bhaluara P.S:- G.B. Nagar, District :- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-06-2020 Heard Mr. Ajay Kumar Pandey , learned counsel for

the petitioners and Mr. Dashrath Mehta, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioners apprehend their arrest in connection with

G.B. Nagar P.S. Case No. 117 of 2019 registered for the offence

punishable under Section 363 (A) / 34 of the I.P.C.

The allegation against the petitioners is that the

petitioner no. 1 called the victim from her home and thereafter,

her brother and other co-accused abducted the daughter of the

informant.

Learned counsel for the petitioners submits that



petitioners have falsely been implicated in this case on the basis of the fact that petitioners are relative of the co-accused Kundan Sah, who allegedly abducted the daughter of the informant. Learned counsel further submits that petitioner nos. 1 and 3 are sister and brother of the co-accused Kundan Sah and petitioner no. 2 is relative of the said Kundan Sah. Learned counsel referring to Annexure 2 to this anticipatory bail application submits that the statement of the victim girl under Section 164 of the Cr.P.C. has been recorded wherein she on her own will and without any coercion has stated that the victim had gone voluntarily with Kundan Sah. Nothing has been said by the victim in her statement against these petitioners.

On the other hand, Mr. Mehta, learned counsel for State submits that the age of the victim was assessed by the learned Magistrate as 16 years and she was minor, and as such, the petitioners do not deserve the privilege of anticipatory bail.

Having regard to the submissions made by the parties and taking into consideration the material on record as well as the statement of victim girl recorded under Section 164 of the Cr.P.C. in which she has not stated anything against these petitioners, I am inclined to grant anticipatory bail to the petitioners.



Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No. 117 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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