

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6420 of 2020

Arising Out of PS. Case No.-241 Year-2019 Thana- KONCH District- Gaya

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1. Ramkeshwar Das @ Udai Das (Male), aged about 36 years, S/O Late Mungeshwar Das
 2. Kanti Devi (Female), aged about 33 years, W/o Ramkeshwar Das @ Udai Das

Both resident of Village - Nehora, P.S. - Konch, District - Gaya (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the State : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 28-02-2020

Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend arrest in connection with Konch PS Case No. 241 of 2019 dated 05.08.2019 (GR No. 4137 of 2019) instituted under Sections 363/366A/34 of the Indian Penal Code.

3. The allegation against the petitioners is that the daughter of the informant had been abducted by the son of the petitioners with their collusion.

4. Learned counsel for the petitioners submitted that as per the allegation, only suspicion has been raised because



the son of the petitioners used to talk to the daughter of the informant. It was submitted that the entire allegation is false as the so called victim girl, i.e., the daughter of the informant, upon her recovery had recorded her statement before the Court under Section 164 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'Code') in which she had stated that because her father had fixed her marriage against her will, she had run away and she met one lady, who took her and she stayed with her in Patna and then the police recovered her from there.

5. Learned APP does not dispute that in view of the statement of the daughter of the informant before the Court, allegation against the petitioners is not made out.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate III, Gaya in Konch PS Case No. 241 of 2019 (GR No. 4137 of 2019), subject to the conditions laid down in Section 438(2) of the Code. One of the



bailors shall be a close relative of the petitioners.

7. The application stands disposed off in the
aforementioned terms

(Ahsanuddin Amanullah, J)

Anjani/-

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