

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9901 of 2020

Arising Out of PS. Case No.-257 Year-2019 Thana- BIBHUTIPUR District- Samastipur

1. AMARJEET PASWAN S/o Ramashish Paswan R/o village- Sakhmohan, P.S.- Vibhutipur, District- Samastipur
2. Sanju Devi @ Manju Devi W/o Amarjeet Paswan R/o village- Sakhmohan, P.S.- Vibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmindra Kumar Yadav

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 366A/34 of the IPC.

The prosecution case is of kidnapping the minor daughter of the informant. In the statement under Section 164 of the Cr.P.C., the victim has recorded her age as 14 years and the Court has also assessed her age as such wherein she has stated that she was being kidnapped by four persons who had concealed their identity. The victim further stated that she identified co-accused Sonu Paswan who took her to Panipat and he established forceful physical relationship with her.

It is submitted by learned counsel for the petitioners that



the victim girl eloped on her own with the son of the petitioners and she made her statement under Section 164 of the Cr.P.C. wherein the thrust of accusation is against the son of the petitioners. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation levelled in the FIR and the statement of the victim under Section 164 of the Cr.P.C. from which it appears that the thrust of accusation is against co-accused Sonu Paswan, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JMFC, Rosra, Samastipur in connection with Vibhutipur P.S. Case No.257 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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