

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30440 of 2020

Arising Out of PS. Case No.-402 Year-2019 Thana- CHANPATIA District- West Champaran

1. PANNALAL PRASAD Son of Late Uma Shankar Prasad
2. Babita Devi Wife of Pannalal Prasad
3. Anuj Kumar Son of Pannalal Prasad
All Resident of Village - Maulaniya, Ward No. 09, P.S. - Sirisia, District -
West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv.
For the State	:	Mr.Ram Bilash Roy Raman, APP
For the Informant	:	Mr. Bimlesh Kumar Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2020 Heard both sides through Video Conferencing.

The petitioners apprehend their arrest in Chanpatia(Sirisia O.P.) P.S. Case No.402 of 2019 registered under Sections 363 and 366A of the Indian Penal Code.

The informant named the petitioners and others and alleged that they kidnapped her minor daughter with an object to kill her.

The learned counsel for the petitioners submits that victim made her statement under Section 164 Cr.P.C.(Annexure-2) and she clearly denied the factum of her kidnapping. She disclosed that her parents wanted to forcibly got her married



with a boy of their own choice and that is why she left her house out of her free will and solemnised marriage with Kishan Kumar in a temple. The doctor also assessed the age of the victim to be more than 18 years.

Mr. Bimlesh Kumar Pandey, learned counsel for the informant submits that age of the victim in the certificate issued by the Bihar School Examination Board is 17 years as the date of birth of the victim is 26.08.2002. Even after institution of the present case, the family members of the petitioners threatened the informant and other family members and for which another case is registered but it appears from the facts and the submission of the victim that she denied the factum of her kidnapping. The petitioners are the father, mother and the brother of Kishan Kumar. The victim did not make any allegation against the petitioners.

Taking into consideration the facts aforesaid, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks be released on bail 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Chanpatia(Sirisia O.P.) P.S. Case No.402 of



2019, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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