

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64030 of 2019

Arising Out of PS. Case No.-280 Year-2017 Thana- BAJPATTI District- Sitamarhi

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1. Dhanraj Kumar aged about 22 years son of Ashesar Rai
2. Ashesar Rai aged about 54 years son of Chathu Rai
both R/O village- Nemahi, P.S.- Bajpatti, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-02-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 363, 366A and 34 of the Indian Penal.

It is submitted by learned counsel of the petitioners that during pendency of the application, statement under section 164 Cr.P.C of the daughter of the informant Anita Devi was recorded wherein she has stated that she is aged about 19 years and that she married the petitioner no. 1 out of her own free will. She has further stated that out of the said wedlock, she has given birth to a girl child and that she is living in her 'sasural' with her husband. Producing a certified copy of the statement of



Anita Devi (daughter of the informant), it is submitted by learned counsel for the petitioners that the same may be kept on record.

Let the certified copy of the statement of Anita Devi recorded under section 164 Cr.P.C be kept on record.

Having heard learned counsel for the parties and taking into consideration the facts and circumstance of the case, especially the contents of the statement of the daughter of the informant under section 164 Cr.P.C, the Court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Bajpatti P.S. Case no. 280 of 2017 are directed to be enlarged on bail on each of them furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Pupri at Sitamarhi subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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