

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66143 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- SAHAR District- Bhojpur

Amrendra Kumar Son of Jai Govind Ram Resident of Village - Hanuman
Chhapra, Ekwari, P.S.- Sahar, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 71415 of 2019

Arising Out of PS. Case No.-145 Year-2019 Thana- SAHAR District- Bhojpur

1. Geeta Devi Wife of Jai Govind Ram Resident of Village - Hanuman Chapra
Ekwari, P.S.- Sahar, Distt - Bhojpur.
2. Jai Govind Ram Son of Sipahi Ram Resident of Village - Hanuman Chapra
Ekwari, P.S.- Sahar, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66143 of 2019)

For the Petitioner/s : Mr.Md. Ataul Haque

For the Opposite Party/s : Mr.Tarun Prasad Mandal

(In CRIMINAL MISCELLANEOUS No. 71415 of 2019)

For the Petitioner/s : Mr.Md. Ataul Haque

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 05-03-2020 Heard learned counsel for the petitioners and learned



APP for the State.

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

The prosecution case as per the written report of Upendra Ram submitted to the Station House Officer of Sahar Police Station is to the effect that on 08.06.2019 at 6.00 P.M. the informant's daughter, Suganti Kumari was enticed away by the petitioner Amrendra Kumar and when the informant inquired from petitioners Geeta Devi and Jai Govind Ram (Cr. Misc. No. 71415 of 2019), they threatened the informant. In the statement recorded under Section 164 Cr.P.C. the victim has stated that she was being forcibly taken to Delhi by the petitioner Amrendra Kumar and she was being ravished there by the petitioner.

It is submitted by learned counsel for the petitioner Amrendra Kumar that he had relationship with the victim from before the alleged occurrence and she has been found major during medical examination.

It is submitted for the petitioners Geeta Devi and Jai Govind Ram that they have falsely been implicated in the present case since they happen to be parents of Amrendra



Kumar.

Learned APP after going through the case diary submits that the accusation of kidnapping and rape of the victim has been corroborated by the victim in her statement recorded under Section 164 Cr.P.C. and all the petitioners are named in the FIR.

Considering the thrust of accusation against petitioner, Amrendra Kumar, this Court is not inclined to grant him anticipatory bail.

Accordingly, the prayer for anticipatory bail of petitioner Amrendra Kumar is rejected.

Considering the fact that other petitioners Geeta Devi and Jai Govind Ram are the parents of the main accused, Amrendra Kumar and thrust of accusation is against him, coupled with the fact that the petitioners are not having any criminal antecedent, let the above named petitioners Geeta Devi and Jai Govind Ram be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Sahar P.S. Case



No. 145 of 2019, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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