

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84741 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- GHORASAHAN District- East
Champaran

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1. Sikandar Mian, Son of Fida Main, Resident of Village - Ghorasahan Birta Chauk, P.S.- Ghorasahan, Distt - East Champaran.
 2. Binod Paswan, Son of Rajendra Paswan, Resident of Village - Ghorasahan Birta Chauk, P.S.- Ghorasahan, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 10-01-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners are accused in connection with
Ghorasahan P.S. Case No. 117 of 2019 registered under Sections
363, 366A, 504 and 306/34 of the Indian Penal Code.

The accusation is of kidnapping of minor daughter
of the informant by the petitioners and three others named in the
FIR, while she was in the way of school.

Learned counsel for the petitioners submits that the
statement of victim, daughter of the informant, was recorded
under Section 164 of the Cr.P.C., in which, she stated about
kidnapping her by four persons, namely, Muslim Mian, Matin



and both petitioners and carried her in Nepal and kept in one month, where co-accused, Muslim Mian committed rape on her and thereafter, she was carried at Delhi and Motihari but she has not stated about committing rape by both petitioners, which would appear from annexure to the petition. In fact, due to love affairs in between the victim and Muslim Mian, she moved with co-accused, Muslim Mian according to her own sweet will but with ulterior motive, both petitioners has falsely been implicated in the present case. It is further submitted that petitioners have no criminal antecedent.

Having regard to the facts and the circumstances of the case, the petitioners above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Sikarhana at Dhaka, East Champaran, in connection with Ghorasahan P.S. Case No. 117 of 2019. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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