

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 31687 of 2020

Arising Out of PS Case No.-7 Year-2020 Thana- MAKER District- Saran

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1. Raju Sahani, aged about 40 years, Gender-Male, Son of Mohar Sahani.
 2. Sushila Devi, aged about 58 years, Gender- Female, Wife of Mohar Sahani.
 3. Mohar Sahani, aged about 60 years, Gender-Male, Son of Jamadae Sahani.
 4. Rahul Kumar Sahani, aged about 22 years, Gender-Male, Son of Paspoti Sahani.
- All reesident of Village - Dihi Siroman @ Dih Siraman, Malah Toli, PS-Maker, District - Saran at Chapra - 841215.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Surendra Prasad Singh. APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 02-03-2021

Heard Mr. Jeetendra Narayan, learned counsel for the petitioners and Mr. Surendra Prasad Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Maker PS Case No.07 of 2020 dated 09.01.2020, instituted under Sections 363, 366-A, 506/34 of the Indian Penal Code

3. The allegation against the petitioners is of abduction of the minor daughter of the informant.



4. Learned counsel for the petitioners submitted that petitioner no. 1 is the elder brother; petitioners no. 2 and 3 are the parents and petitioner no. 4 is the cousin brother, of co-accused Bipin Kumar Sahni, who has married the daughter of the informant that too with the free will of the girl. It was submitted that due to *mala fide* reasons, as the family was not accepting the marriage, the present case has been lodged. It was submitted that the same would be proved from the fact that the girl has been produced by the police before the Court and in her statement recorded under Section 164 of the Code of Criminal Procedure, 1973, she has stated that she has married the other co-accused out of her own will and wanted to go and live with the in-laws and that the case has been falsely filed by her father. Learned counsel further submitted that the Court in its deposition has also recorded the age of the girl as 19 years.

5. Learned APP submitted that the allegation in the FIR is abduction of the minor daughter of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each



with two sureties of the like amount each to the satisfaction of the learned ACJM 12, Saran at Chapra in Maker PS Case No. 07 of 2020, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 and further, (i) that one of the bailors shall be a close relative of the petitioners and (ii) that the petitioners shall co-operate with the police/prosecution and the Court. Failure to co-operate shall lead to cancellation of their bail bonds.

7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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