

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.32521 of 2020**

Arising Out of PS. Case No.-72 Year-2020 Thana- TURKAULIYA District- East Champaran

- =====
1. Lalbabu Yadav, male, aged about 42 years, S/o Late Sheodhari Rai
  2. Nirmala Devi, female, aged about 40 years, W/o Lalbabu Yadav
- Both are resident of Village-Patkhauliya Bhela Chhapra, P.S.-Turkauliya, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

**ORAL ORDER**

4      08-04-2021                      Heard Mr. Abhishek Kumar, learned Advocate for  
  
the petitioners and Md. Fahimuddin, learned APP for the  
  
State.

The petitioners seek bail in anticipation of their  
  
arrest in connection with Turkauliya P.S. Case No. 72 of  
  
2020, dated 02.02.2020, instituted for the offences under  
  
Sections 363, 366(A) and 504/34 of the Indian Penal Code.



It has been alleged in the F.I.R. that the minor daughter of the informant was abducted by one Rahul Kumar for the purposes of marriage. When the informant went to the house of aforesaid Rahul Kumar, the petitioners, who are the parents of aforesaid Rahul Kumar, are said to have misbehaved with him.

The learned counsel for the petitioners has submitted that the victim was recovered and she has given her statement under Section 164 Cr.P.C. In the aforesaid statement, she has not given any statement which could even remotely incriminate the petitioners. She has stated that she was taken on a motorcycle by Rahul Kumar and was kept in a place which she could not identify. She also alleges to have been subjected to ill-treatment.

However, looking at the statement given by the victim under Section 164 Cr.P.C., it appears that she was not brought to the house where the petitioners reside, otherwise she would have had spoken about the presence of the petitioners in the house in which she was kept confined for some time.



The son of the petitioners, viz., Rahul Kumar has surrendered to the process of law.

Regard being had to the facts afore-stated, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya P.S. Case No. 72 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

**(Ashutosh Kumar, J)**

Praveen-II/-

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