

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6281 of 2021

Arising Out of PS. Case No.-425 Year-2019 Thana- JOGAPATTI District- West Champaran

1. KHUSBOO DEVI, W/o TARUN RAM, R/V- Gurwalia, P.S.- Manuapul, Distt.- West Champaran.
2. Pintu Ram, S/o Ramji Ram, R/v- Chamainia, Bazar, P.S.- Yogapatti, Distt.- West Champaran.
3. Bittu Ram @ Bittu Kumar, S/o Ramji Ram, R/V- Chamainia Bazar, P.S.- Yogapatti, Distt.- West Champaran.
4. Ramji Ram, S/o Jadu Ram, R/V- Chamainia Bazar, P.S.- Yogapatti, Distt.- West Champaran.
5. Rekha Devi, W/o Ramji Ram, R/V- Chamainia Bazar, P.S.- Yogapatti, Distt.- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-12-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and Mr. Akhileshwar Dayal, learned A.P.P. for the State.

Petitioners in the present case are related to the main accused Vikki Ram, they are seeking pre-arrest bail in connection with Yogapatti P.S. Case No. 425 of 2019 registered for the offence punishable under Section 363, 366(A), 504, 34



of the Indian Penal Code and Section 8 of the POCSO Act. Petitioners have got no criminal antecedent.

Learned counsel for the petitioners submits that as per the First Information Report, the sister of the informant was aged about 16 years, she had left her house to ease out but thereafter she did not return. The informant came to know this on 26.11.2019 itself but did not lodge any F.I.R. Later on in the present F.I.R. which was lodged on 02.12.2019 the informant claimed that though the co-accused Vikki Ram has allured and taken away his sister with an intention to marry her, in course of her search the informant came to know that these petitioners who are father, mother, brothers and sister of Vikki Ram had also helped him in taking away the victim girl.

Learned counsel submits that the F.I.R. was lodged belatedly and with an intention to implicate to each and every member of the family. It is pointed out that while considering the prayer for bail of co-accused Tarun Ram (brother-in-law of Vikki Ram), this Court has looked into the medical examination report suggesting that the victim girl has been found aged between 18-19 years and she had not assigned any specific role to the petitioners and further that she had married with co-accused Vikki Ram and was living with him presently. Copy of



the order dated 26.10.2021 passed in Cr. Misc. No. 28415 of 2021 has been placed before this Court.

Mr. Akhileshwar Dayal, learned A.P.P. for the State is present and does not controvert the submission of learned counsel for the petitioners.

Having regard to the materials noticed above and that these petitioners are the other family members of Vikki Ram, this Court directs the petitioners above-named in the event of their arrest or surrender within four weeks from today be released on bail on furnishing of bail bonds of Rs. 25,000/- (Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge-cum-Special Judge, (SC/ST/COCSO), Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 425 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

