

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27955 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- BALIYA District- Begusarai

1. UMESH TANTI SON OF RAJESH TANTI RESIDENTS OF VILLAGE -
SADANANDPUR BALACHAK WARD NO 11, PS- BALLIA DISTRICT-
BEGUSARAI
2. PRAVEEN TANTI SON OF RAJESH TANTI RESIDENTS OF VILLAGE -
SADANANDPUR BALACHAK WARD NO 11, PS- BALLIA DISTRICT-
BEGUSARAI
3. SARITA DEVI W/O RAJESH TANTI RESIDENTS OF VILLAGE -
SADANANDPUR BALACHAK WARD NO 11, PS- BALLIA DISTRICT-
BEGUSARAI

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-10-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 363/366A
read with Section 34 of the Indian Penal Code.

The petitioners in association of other co-accused
are said to have abducted the daughter of the informant for the
purpose of marriage.

It is submitted by learned counsel for the
petitioners that no such occurrence as alleged ever took place.



Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, the girl who was alleged to be minor has been found major on medical examination and she has been recovered in the course of investigation and in her statement she has denied any involvement of the petitioners in her abduction. Petitioner nos.1 & 2 are brothers of co-accused Kanhaiya, while petitioner no.3 is the mother of co-accused Kanhaiya. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

From perusal of the order-sheet, it appears that vide order dated 06.09.2022 case diary and the statement of the victim recorded under Section 164 Cr.P.C. was called for but only the statement of the victim has been received in this Court. In her statement made under Section 164 Cr.P.C., the victim has clearly stated that on her sweet will she has eloped with Kanhaiya and gone to Delhi and performed marriage with him in a temple.

Having regard to the facts and circumstances of the case and the statement of the victim recorded under Section 164 Cr.P.C., let the above named petitioners, be released on bail, in



the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Ballia P.S. Case No.323 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J.)

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