

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68689 of 2021

Arising Out of PS. Case No.-360 Year-2021 Thana- DARIYAPUR District- Saran

1. RAJNATH GIRI S/o- Late Kauleshwar Giri Resident of Village - Mohana Bishunpur, P.S. - Amnaur, District - Saran at Chapra.
2. Asha Devi W/o- Rajnath Giri Resident of Village - Mohana Bishunpur, P.S. - Amnaur, District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Adv.

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2022 Heard.

The petitioners seek regular bail in connection with Dariapur P.S. Case No. 360 of 2021, registered for the offence punishable under sections 363, 366(A) of the Indian Penal Code.

The allegation is regarding the co-accused persons namely Arvind Kumar Giri having kidnapped the victim girl with the help of other accused persons.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case, are having a clean antecedent and are languishing in custody since 31.07.2021. The learned counsel



for the petitioners has submitted that the petitioners are mother and father of the main accused person namely Arvind Kumar Giri and they have no role to play in the alleged incident. The learned counsel for the petitioners has also referred to the statement of the victim girl made under section 164 Cr. P.C. before the learned Magistrate to submit that the victim girl has herself stated that she had voluntarily eloped with the co-accused person namely Arvind Kumar Giri and solemnized marriage with him in a temple as also wants to stay with her husband.

Per contra, the learned APP for the State, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the parties and taking into account the materials available on record as also considering the fact that the petitioners are mother and father of the main accused person namely Arvind Kumar Giri and moreover, the victim girl in her statement made under section 164 Cr. P.C., before the learned Magistrate, has herself admitted that she had voluntarily eloped with the co-accused person namely Arvind Kumar Giri and had solemnized marriage with him as also wants to live with her husband, I deem it fit and



proper to admit the petitioner to the privilege of regular bail.

Accordingly, the petitioners, above named, are directed to be released on bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned court of A.C.J.M. XIII, Saran at Chapra in connection with Dariapur P.S. Case No. 360 of 2021.

(Mohit Kumar Shah, J)

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