

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51213 of 2022**

Arising Out of PS. Case No.-405 Year-2021 Thana- SAHPUR District- Patna

1. Bhuwar Ram, S/o Satish Ram.
  2. Satish Ram S/o Mauji Ram.  
Both are Resident of Village- Ajhokopa, P.S.- Rupauli, District- Purnea.
- ... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Mritunjay, Advocate  
For the Opposite Party/s : Mr.Surendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      11-01-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners apprehend their arrest in connection with Shahpur P.S. Case No.405 of 2021 instituted under Section 366(A) of the Indian Penal Code.

As per the FIR, the informant has alleged that her minor daughter disappeared and on the basis of information, when she went to the petitioner no.1, Bhuwar Ram's place to know about the where-about, she was scolded and further the accused stated that his maternal son has taken away the girl for the purpose of marriage. The further allegation is that the boy used to live with his 'Mama' for the last two years and he has played role in kidnapping of his minor daughter. Accordingly, the FIR was lodged.



Learned counsel for the petitioners submit that to his knowledge, the girl is major and she has solemnized marriage with the boy concerned and they are living happily somewhere in the country. He however failed to provide any details and or the fact that why the girl has not returned and has made the same statement under Section 164 of the Cr.P.C.

Learned APP on the other hand also echoes the same view that if the girl is indeed major and had married the boy concerned, she should have returned and made a statement to this effect.

Taking into account the fact that the petitioner no.2 is an aged person and 'Nana' (maternal father-in-law of the boy), this Court is inclined to grant him relief. However, so far as the petitioner no.1, Bhuwar Ram is concerned, it is in the FIR that the informant made allegation against him.

Taking into account the aforesaid fact, this Court is not inclined to grant relief to the petitioner no.1, Bhuwar Ram and his petition stands rejected.

Let the petitioner no.2, Satish Ram be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten



Thousand) each with two sureties of the like amount each in connection with Shahpur P.S. Case No.405 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate, I, Danapur at Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Rajiv Roy, J)**

Prakash Narayan /-

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