

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58423 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- DUMRAO District- Buxar

1. Jitendra Kanjar S/O Shailani Kanjar Resident of Mohalla - Station Road Dumraon, P.S. - Dumraon, Distt. - Buxar
2. Urmila Devi W/o Jitendra Kanjar Resident of Mohalla - Station Road Dumraon, P.S. - Dumraon, Distt. - Buxar
3. Mala Devi W/o Gopal Kanjar Resident of Mohalla - Station Road Dumraon, P.S. - Dumraon, Distt. - Buxar
4. Geeta Kumari @ Geeta D/o Shailani Kanjar Resident of Mohalla - Station Road Dumraon, P.S. - Dumraon, Distt. - Buxar
5. Sangeeta @ Sangeeta Devi D/o Shailani Kanjar Resident of Mohalla - Station Road Dumraon, P.S. - Dumraon, Distt. - Buxar
6. Pramila Devi W/o Kariman Kanjar R/o vill - Bhadaura, P.S. - Bhadaura, Distt. - Gazipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 13-12-2023 Heard Mr. Arun Kumar Gupta, learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Dumraon P.S. Case No. 138 of 2023, registered for the offences punishable under Sections 366 (A), 370 and 120(B)/34 of the Indian Penal Code.

3. Allegedly the daughter of the informant went along with petitioners Jitendra Kanjar and Mala Devi to Buxar for treatment but when she did not return, the informant inquired



the matter, however, she was assured that she will be coming after 10 days. Thereafter, again when her daughter did not return, the informant started searching and came to know that her daughter was sold by one Golu Kanjar for Rs. 50,000/-.

4. Learned counsel appearing on behalf of the petitioners submits that allegedly, the occurrence is said to have taken place on 26.01.2023, but surprisingly the present case has been filed on 25.03.2023, after a delay of two months and no plausible explanation has been given. He further submits that the present case is nothing but a counter blast to Dumraon P.S. Case No. 117 of 2023 instituted by the petitioner no. 2 against the informant and her family members. Moreover, during the course of investigation, the victim was recovered and her statement was recorded under Section 164 of the Cr.P.C., wherein, she has categorically stated that she voluntarily left her house and went along with co-accused Golu Kanjar and she did not even whisper about the complicity of the petitioners. The victim girl was also examined by the doctor where her age has been assessed as 17-18 years. He lastly submits that the petitioners are persons of fair antecedent and they undertake that they will fully co-operate in the investigation or in the proceeding of the Court.



5. On the other hand, learned counsel for the State as well as informant opposed the pre-arrest bail application and submits that the petitioners have actively participated in the crime and sold the victim for an amount of Rs. 50,000/-.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the FIR and the statement of the victim recorded under Section 164 of the Cr.P.C., as well as the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) **each** with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 138 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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