

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36643 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- TARIYANI CHOWK District- Sheohar

1. Kanchan Devi W/o Laxman Mahto R/o vill - Salempur, P.s. - Tariyani, Distt. - Sheohar
2. Laxman Kumar @ Mahto @ Laxman Mahto S/o Jagdev Mahto R/o vill - Salempur, P.s. - Tariyani, Distt. - Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 363, 366, 366(A) of the Indian Penal Code.

3. The learned counsel for the petitioners submits that the petitioners are a person with clean antecedent and have been falsely implicated in the present case by the informant being parents of Rockey. It is next submitted that informant alleges that on 22.02.2024, his younger sister had gone for coaching class at 6 A.M. but did not return, thereafter a search was made when he came to know that Rocky had enticed his sister and



taken her away for marrying her, thereafter, the informant along with others went to the house of Rocky, when his mother said that she will treat the victim like her daughter-in-law and asked the informant not to come again. Learned counsel submits that the victim has been recovered and her statement has been recorded under Section 161 Cr.P.C. wherein she has not supported the case of the prosecution rather has stated that her parents were trying to get her married to an old person, as such, she on her own violation left for Muzaffarpur. It is further submitted that the victim in her statement recorded under Section 164 Cr.P.C. disclosed her age as 19 years and did not support the case of prosecution. It is also submitted that even presuming what has been alleged is true without admitting in the F.I.R. in that event, the victim had reached the age of discretion and has not supported the case of the prosecution.

4. Learned A.P.P. opposes the bail application.

5. Consideration the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below withing a period of six weeks, are directed to be released on bail on furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the



satisfaction of the learned C.J.M., Sheohar, in connection with
Tariyani P.S. Case No. 38 of 2024, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

6. The applications stands allowed.

(Satyavrat Verma, J)

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