

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.34212 of 2017**

Arising Out of PS.Case No. -160 Year- 2016 Thana -VIJAYPUR District- GOPALGANJ

1. Chunu Turha @ Chunu Kumar

2. Pappu Turha

Both are sons of Jiyut Turha resident of Mohalla Chik Balia, P.S. Vijayipur,  
Dist - Gopalganj.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. S. Ehteshamuddin

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      31-08-2017                      Heard learned counsel for the petitioners and learned  
APP for the State.

Petitioners are languishing in judicial custody since  
29.05.2017 in connection with Vijayipur P.S. Case No. 160/16 for  
offences punishable under Sections 363, 366-A/34 of the Indian  
Penal Code.

The prosecution case, as lodged by the informant, is  
that her daughter Laxmi Kumari, aged 15 years, went out of the  
house to attend the call of nature and in the meantime petitioners  
along with one Sohan Turha came on a motorcycle and fled away  
with her. When she came to the house of the petitioners, she was  
abused.



It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal history and have been falsely implicated in the aforesaid case. He submits that petitioner no. 1 has performed marriage with the victim girl, there is delay of six days in lodging of the First Information Report and no plausible explanation has been given. He submits that the victim girl is a major of about 17-18 years as, assessed in the medical report.

However, learned APP for the State vehemently opposes the prayer for bail stating therein that the victim girl in her statement under Section 164 Cr.P.C. has not spoken anything about marriage, had been forcefully taken away by the petitioners and another accused person and was made unconscious.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioners at this stage in connection with Vijayipur P.S. Case No. 160/16, pending in the court of ACJM-IV, Gopalganj.

Application is, accordingly, rejected. However, petitioners may renew their prayer for bail after three months.

**(Nilu Agrawal, J)**

Rajesh/-

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