

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8639 of 2015**

Arising Out of PS.Case No. -227 Year- 2014 Thana -GHORASAHAN District-  
EASTCHAMPARAN(MOTIHARI)

- =====
1. Prakash Ram Son of Nagendra Ram  
2. Rajesh Ram Son of Shankar Ram Both are residents of village- Nimuyia,  
P.S. Ghorasahan, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar, Advocate.

For the Opposite Party/s : Mr. Braj Kishore Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      02-04-2015      Heard both sides.

The petitioners seek bail in Ghorasahan P.S. Case No. 227 of 2014, registered for the offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

The informant alleged that the petitioners kidnapped his minor daughter.

Learned counsel for the petitioners submits that the victim was in love with the petitioner no. 1 Prakash Ram and she voluntarily went along with the petitioners. The allegation of kidnapping is false. The doctor did not find any sign of rape. Age of the victim is assessed to be between 17-18 years.

It appears that the victim made herself very specific

allegation that she was in love with the petitioner no. 1 Prakash Ram. Both the petitioners kidnapped her and she also alleged that Prakash Ram committed rape with her during her captivity.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner no. 1 Prakash Ram on bail. Accordingly, the same is rejected.

So far as case of Petitioner no. 2 Rajesh Ram is concerned, the victim has not made any allegation of ill treatment against him, accordingly, he is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Sikrahana at Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 227 of 2014.

**(Prabhat Kumar Jha, J.)**

KKSINHA/-

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