

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7243 of 2015

Arising Out of PS.Case No. -46 Year- 2014 Thana -SC/ST P.S. District- NAWADA

Rajiv Ranjan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.Pp)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in jail since 30.09.2014 in a case registered for the offences punishable under Sections 366, 376, 494 and 495 of the Indian Penal Code and Section 3 (I) (X) of the SC/ST (Prevention of Atrocities) Act.

It is alleged that the daughter of the informant was found traceless. Subsequently, the informant came to know through a letter that the petitioner kidnapped her daughter.

It is submitted by learned counsel for the petitioner that in 164 Cr. P.C., statement, the victim got her age recorded as 21 years when the court assessed her age as 20 years where she stated that she of her own went in the company of the petitioner and travelled from one place to another place and subsequently, got married with this petitioner but subsequently she came to know

that the petitioner is a married person having children and thereafter she was apprehended while in the company of the petitioner. It is further submitted by learned counsel for the petitioner that in 161 Cr. P.C. statement of the victim which was recorded in para 48 of the case diary has been considered by the learned Sessions Judge, wherein she admitted that she developed love affairs with this petitioner and she went in the company of the petitioner on assurance that he is a unmarried person. . Moreover, in view of the 161 Cr. P.C. statement of the victim, no offence either under Section 366A IPC or under SC/ST Act is made out.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with SC/ST P.S. Case No. 46 of 2014.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--