

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8040 of 2015

Arising Out of PS.Case No. -783 Year- 2014 Thana -NAWADA District- NAWADA

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1. Ashwani Kumar Chaudhary son of Ramprit Chaudhary Resident of Mohalla- Garhpar, Gondapur, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. B.N. Pandey, (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-04-2015 Heard both sides.

The petitioner seeks bail in Nawada Town P.S. Case No. 783 of 2014, registered for the offences punishable under Sections 363, 366A and 376 of the Indian Penal Code.

The prosecutrix made allegation that the petitioner and others kidnapped her and took her to Kolkata. The prosecutrix alleged that the petitioner also committed rape with her.

Learned counsel for the petitioner submits that all the allegations made by the prosecutrix are false and concocted. The prosecutrix was in love with Rajballabh Chaudhary and she had fled with him. Panchayati was held and Panches decided that the prosecutrix and Rajballabh Chaudhary have not attended the age of marriage and they were allowed to go to their parents' home.

Thereafter, the prosecutrix filed this case against the petitioner only with a view to marry with the petitioner. As the marriage was settled with the prosecutrix and when the petitioner knew about the elopement of the prosecutrix with Rajballabh Chaudhary the negotiations was broken.

Learned counsel for the informant did not dispute the facts.

Considering the facts aforesaid, the petitioner above named 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 Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 783 of 2014.

(Prabhat Kumar Jha, J.)

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