

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6151 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Subash @ Subhash Rai @ Subash Rai S/o Late Hari Rai R/o Village -
Siswa Kharar, P.S. - Kalyanpur, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Gulnar Begum(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 16-02-2015

Heard learned counsels for the petitioner and

the State.

The petitioner being the cousin of the informant is languishing in custody since 30.08.2014 in a case registered for the offences punishable under Sections 363, 364, 366 and 379 of the Indian Penal Code.

It is alleged in the First Information Report that the petitioner was allowed by the informant to take his wife and the child to informant's in-laws place and thereafter the wife and the child of the informant went traceless. Subsequently the victim claimed herself to be returned of her own and 164 Cr.P.C. statement of the victim was recorded where she stated that on

information being supplied by this petitioner that her father is not well so she went to Assam with him but he took her to some other place where he assaulted. Though, in the concluding portion of 164 Cr.P.C. statement she stated that she was being enticed away by this petitioner.

It is submitted by learned counsel for the petitioner that the inconsistency between the First Information Report and 164 Cr.P.C. statement suggest that due to the litigated relationship between the petitioner and the informant, the petitioner has been roped in the present case.

A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the 164 Cr.P.C. statement of the victim, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Motihari Sadar at Motihari in connection with Kalyanpur P.S. Case No. 78 of 2014.

(Dinesh Kumar Singh, J)

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