

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35096 of 2015

Arising Out of PS.Case No. -207 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

Abhimanyu Rai @ Vicky @ Abhimany Rai @ vivek Son of Madan Rai,
Resident of Village - Mahua Singh Rai, P.S. - Mahua, District - Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Imtayaz Ahmad,
Mr. Nilesh Kumar, Advocates
For the informant : Mr. Anand Prakash, Advocate

For the State : Mr. S.N.Shukla (App)

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 16-10-2015 Heard learned counsel for the petitioner, the
informant and the State.

The petitioner seeks bail in a case registered under
Sections 363, 366(A)/34 of the Indian Penal Code.

It is stated on behalf of the petitioner that
allegation in the first information report itself goes to show
that the daughter of the informant has willingly gone with
the petitioner as it is stated that at 9 p.m. the petitioner
allegedly had talked with the daughter of the informant on

her cell phone. Thereafter, at 10 p.m. she was not seen in the house.

Now the question would be as to how three persons will intrude in the house, take away the daughter but she will not raise alarm and even the occurrence would not be known to the parents of the girl. It is further stated that the girl was recovered allegedly upon the statement of the petitioner from the house but her statement was neither recorded by the Police under Section 161 Cr.P.C. nor was her statement under Section 164 Cr.P.C. was recorded immediately. It is further stated that the girl, after recovery was handed over to the parents without any medical examination. Learned counsel submits that even in her statement recorded under Section 164 Cr.P.C. after about two months, the girl has not stated regarding any sexual assault upon her. It is lastly urged that other two co-accused persons have already been granted bail.

Having regard to the facts and the circumstances of the case, the petitioner, Abhimanyu Rai @ Vicky @ Abhimanyu Rai @ Vivek is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the

satisfaction of the Chief Judicial Magistrate, Vaishali at
Hajipur in connection with Mahua P.S. Case No.207/15.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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