

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42976 of 2015

Arising Out of PS.Case No. -207 Year- 2015 Thana -BARH District- PATNA

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1. Deepak Kumar Son of Hari Gopal Rai, Resident of Village - Lavapur,
Pachrukhi, Police Station - Mahnar, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gajanan Mishra, Advocate

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 17-09-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

It would appear from perusal of the impugned order that the statement of the victim was recorded under Section 164 Cr.P.C. and in her statement she supported the factum of kidnapping, but, subsequently, a Complaint Case No. 2666C of 2015 was filed against the informant of the present case and one another and the aforesaid case is said to be filed by the victim of the present case.

Learned counsel for the petitioner submits that as a matter of fact, victim being major was in love with petitioner and she voluntarily solemnized her marriage with the petitioner, but, later on, the father of the victim lodged the present case and on the assurance of the uncle of the victim, petitioner and the victim returned to their home but victim was

taken into custody by her uncle, whereas petitioner was handed over to police. It is further submitted that the victim was pressurized by her family members and that was the reason she took u-turn in her statement recorded under Section 164 of the Cr.P.C. Moreover, it is pointed out that at the time of hearing of anticipatory bail of other accused, the victim herself appeared before the Court and accepted the factum of love affairs with the petitioner.

Considering the aforesaid facts and circumstances as well as submission of the parties, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barh P.S. Case No. 207 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna.

(Hemant Kumar Srivastava, J)

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