

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51211 of 2015

Arising Out of PS.Case No. -307 Year- 2014 Thana -SIMARI BAKHTIYARPUR District-
SAHARSA

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1. Rajendra Sah son of Late Awadh Sah, a resident of village- Sahugarh
Janki Tola, P.S.- Madhepura, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan (App)

For the Informant: Mr. Sanjeev Verma

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 10-11-2015 Heard counsel for the petitioner, counsel for the State

and counsel for the informant.

The petitioner is seeking bail in connection with Simari
Bakhatiyarpur P.S. Case No.307 of 2014 for the offence under
Sections 364, 366(A)/34 of the Indian Penal Code.

As per the F.I.R., in the night, the informant heard the
knock of the door. She came out whereupon Rahul Yadav has
asked about her father. Reply was given that her father was
sleeping on the roof. When she has gone to call her father, Rahul
uplifted her and took her forcibly and fled away. She was kept in
the room and asked for forcible marriage but she denied. In 164
statement, she has reiterated the said statement that has been made

in the F.I.R. There is no valid document to show that there was any valid marriage solemnized between Gudia and son of the petitioner. There is no specific allegation against the petitioner to have actively participated in conducting the kidnapping of the girl. Mere reference of the name of the father cannot be said to be a person involved in the said incident. For the act of the son, it would not be proper that the privilege of bail would be refused to the petitioner.

Looking to the facts and circumstances of the case, petitioner namely Rajendra Sah is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Simari Bakhatiyarpur P.S. Case No.307 of 2014.

(Shivaji Pandey, J)

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