

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47745 of 2014

Arising Out of PS.Case No. -157 Year- 2014 Thana -SAKRA District- MUZAFFARPUR

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1. Rajesh Thakur @ Rajesh Sharma Son of Shankar Thakur resident of
village : - Bangra Banshidhar, P.S. - Kudhani, District : - Muzaffarpur.
..... Petitioner

Versus

1. The State of Bihar.

..... Opposite Party

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Appearance :

For the Petitioner : Mr. Yugal Kishore

For the Opposite Party : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 07-05-2015

Petitioner is languishing in custody since

03.08.2014 in a case registered for the offences punishable
under Sections 363, 366(A) of the Indian Penal Code.

The accusation is kidnapping the minor
daughter of the informant when suspicion was raised against
co-accused Mukesh Kumar Paswan who was also found
missing since 02.04.2014, the day the victim went missing. In
164 Cr.P.C statement, in the initial paragraphs the victim has
stated that she was not kidnapped rather she went with co-
accused Mukesh Kumar Paswan of her own freewill. Though in
the subsequent paragraphs she stated that she was being
kidnapped by Manoj Thakur, Sajjan Thakur, Rajesh
Thakur(petitioner), Raju Thakur, Thagan Pandit on 01.06.2014.
Hence, the date of kidnapping as suggested by the victim is
contrary to the date mentioned in the First Information report
as 02.04.2014 when the victim went missing.

Considering the inconsistencies between the 164 Cr.P.C statement of the victim and the First Information Report, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sakara P.S. Case No. 157 of 2014.

(Dinesh Kumar Singh, J)

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