

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22004 of 2015

Arising Out of PS.Case No. -123 Year- 2013 Thana -SHRINAGARHAT District- MADHEPURA
=====

Chhotu Kumar @ Chhotu Kumar Singh S/o Kashinath Singh
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Manoj Kr. 1(App)
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 366A/34 of the Indian Penal Code.

It is alleged in the FIR that this petitioner came at the house of the informant and took the daughter Ms. Kajal kumari and minor son Sonu of the informant on the pretext of illness of maternal uncle of the victim Ms. Kajal Kumari. Sonu Kumar, the son of the informant returned after some time and conveyed to the informant that he was scolded and directed by the petitioner to go back home.

It is submitted by learned counsel for the petitioner that in 164 Cr.P.C. statement the victim has given a different story where she has stated that her cousin maternal uncle came and took her from the house and she has not named this petitioner. It is

further submitted that the in 164 Cr.P.C. statement the informant has got her age recorded as 13 years when the learned court below assessed as 16 years though as per medical opinion victim has been found between 15 to 17 years. The mother of the petitioner earlier lodged complaint case against the informant's side, hence the petitioner has been roped in the present case and other co-accused persons have been granted anticipatory bail vide Criminal Miscellaneous No. 28853 of 2014. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Madhepura in connection with Sri Nagar P.S. Case No. 123 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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