

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32869 of 2014

Arising Out of PS.Case No. -343 Year- 2013 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

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1. Mohan Chaurasia S/o Brahmdeo Chaurasia resident of village - Cheron,
P.S. Sarmera, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Chaurasia, Advocate.

For the Opposite Party/s : Mr. Mustaq Alam(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 04-02-2015 Heard both sides.

The petitioner apprehends his arrest in Laheri P.S.
Case No. 343 of 2013, registered for the offences punishable
under Sections 363 and 366 of the Indian Penal Code. The
informant named the petitioner along with Sohan Chaurasia and
alleged that both have kidnapped his daughter.

Learned counsel for the petitioner submits that the
informant is not an eye witness of the occurrence. On mere
suspicion the name of the petitioner is mentioned in the FIR. The
victim made her statement under Section 164 of the Cr.P.C. and
did not disclose the name of the petitioner. The victim alleged that
Sohan Chaurasia kidnapped her and his brother was also with him.

The victim further alleged that Sohan Chaurasia forcibly established physical relations with her.

On considerations of the fact that the petitioner is brother of Sohan Chaurasia and the petitioner is not alleged to have committed any illegal acts with the victim, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Laheri P.S. Case No. 343 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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