

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21395 of 2015

Arising Out of PS.Case No. -96 Year- 2014 Thana -TAJPUR District- SAMASTIPUR

SUNIL KUMAR @ SUNIL KUMAR ROY @ SUNIL ROY Son of Vijay
Roy Resident of Village- Dhamagatpur Bathua, P.S. Pusa, District-
Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar Singh

For the Opposite Party : Mr. Iftexhar Mahmood (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-06-2015

Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 363.
366(A)/34 of the Indian Penal Code.

The accusation is kidnapping the minor
daughter of the informant. The informant claims the petitioner
to be his maternal brother. The petitioner is not named in the
First Information Report. The name of the petitioner sprang up
in the 164 Cr.P.C statement of the victim where she stated that
initially she was being kidnapped by this petitioner and one
Savita Devi and thereafter the victim was forced to go to Delhi
by train where the petitioner wanted to sell the victim. The
victim has further admitted that she of her own married with
one Ajay Kumar.

It is submitted by learned counsel for the petitioner that in 164 Cr.P.C statement maliciously the victim has named the petitioner in order to save the actual accused. Moreover the victim in her 164 Cr.P.C statement got her age recorded as 19 years.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

The inconsistencies in the 164 Cr.P.C statement of the victim constitute ground for consideration of regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Tajpur P.S. Case No. 96 of 2014, pending in the Court of learned Judicial Magistrate, 1st Class, Samastipur.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--