

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32905 of 2015

Arising Out of PS.Case No. -91 Year- 2013 Thana -HATHUA District- GOPALGANJ

Om Nath Sharma S/o Rajkishore Sharma.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant.

In 164 Cr. P.C. statement, the victim got her age recorded as 15 years when the court assessed her as 16 years and as per the medical opinion she has been found between 18 to 19 years where she stated that she was kidnapped by this petitioner and his brother-in-law, she was being kept in confinement for 13 days and thereafter she was released.

It is submitted by learned counsel for the petitioner that the victim has been found to be major and it appears that the

victim of her own went in the company of the accused persons. It is further submitted that no injury was found caused to the victim nor she has alleged any misbehaviour and she was ultimately released. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Hathua P.S. Case No. 91 of 2013 pending in the court of learned CJM, Gopalganj.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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