

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47654 of 2015

Arising Out of PS.Case No. -219 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Rahul Kumar alias Rahul Kumar Rai son of Late Kailash Rai resident of
Village - Pojhia, P.S. - Lalganj, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar
For the Opposite Party/s : Mr. S.M.Rahman(APP)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-10-2015 Heard Sri Ajay Thakur, learned counsel, who was

assisted by Sri Nilesh Kumar, learned counsel for the petitioner

and learned A.P.P.

The petitioner apprehending his arrest in connection
with Lalganj P.S. Case No. 219 of 2015 registered for the offence
punishable under Section 365, 366, 366(A)/ 34 of the Indian
Penal Code, has prayed for grant of anticipatory bail.

It was submitted on behalf of the petitioner that even in
the F.I.R. there is no specific accusation against the petitioner. He
submits that the informant has made allegation against the accused
Bipin Kumar and his all family members regarding the

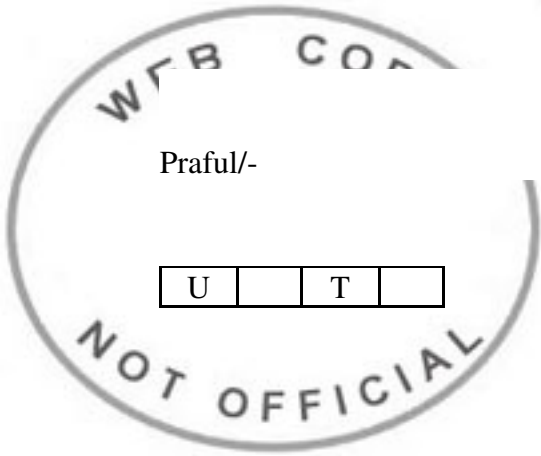


commission of offence. However, in the F.I.R. name of petitioner has also been indicated showing him as one of the participant whereas petitioner's name has not been recorded as accused in the accused column of the F.I.R. He further submits that during investigation the victim was recovered and her statement under Section 164 of the Cr.P.C. was recorded in which she categorically stated that it was not a case of kidnapping but she herself voluntarily had gone to see Tajmahal and there he met with accused Bipin Kumar.

Learned A.P.P. has opposed the prayer of bail. He submits that fact remains the victim girl was minor who was aged about 16 years as per statement recorded under Section 164 of the Cr.P.C.

Be that as it may, keeping in view the accusation made in the F.I.R. as well as statement of the victim under Section 164 of the Cr.P.C., the court considers that it is a fit case for extending the privilege of anticipatory bail. Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner Rahul Kumar alias Rahul Kumar Rai, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at

Hajipur in connection with Lalganj P.S. Case No. 219 of 2015.



Praful/-

(Rakesh Kumar, J)