

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52535 of 2015

Arising Out of PS.Case No. -303 Year- 2009 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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Santosh Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Prakash Prabhakar

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2015

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Sugauli P.S.Case No. 303/2009 registered for offences punishable
under Sections 366 (A)/34 of the Indian Penal Code.

The prosecution case is that on 25.11.2009 the
petitioner and four others had kidnapped the informant's daughter
Prem Sheela Kumari, aged about 12 years and after kidnapping,
the petitioner and other persons threatened the informant that you
will burn the whole family. It is further alleged that after
kidnapping the co-villager saw the petitioner and other fleeing
away with the kidnapped victim, hence this F.I.R. has been
lodged.

Learned counsel for the petitioner submitted that now
the petitioner and the victim Prem Sheela Kumari performed her

marriage out of her own will and they are spending their happy conjugal life and both have a child born out of their wedlock (Annexure-2).

It has further been submitted by the learned counsel for the petitioner that the statement of the victim recorded under Section 164 Cr. P.C. is also in the favour of the marriage. Now the age of the petitioner is above 19 years.

Be that as it may, in the facts and circumstances and that the petitioner has clean antecedent, let the above named petitioner in the event of his arrest or surrender before the Court below within a period of four weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari in connection with Sugauli P.S.Case No. 303/2009, subject to the conditions as laid down under Section 438(2) of the Cr. P. C.

(Nilu Agrawal, J)

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