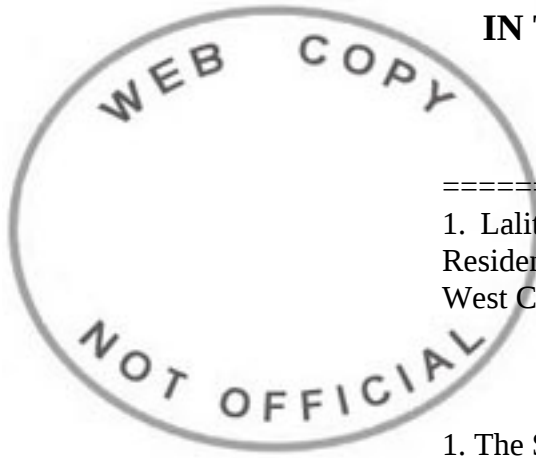




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54119 of 2015

Arising Out of PS.Case No. -593 Year- 2015 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Lalit Mohan Shukla @ Shivam Shukla Son of Rajesh Kumar Shukla
Resident of Village - Basgaon (Manjhariya), P.S. - Bhairoganj, District -
West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-11-2015 Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending arrest in a

case registered for the offences punishable under

sections 366A/34 of the Indian Penal Code.

The prosecution case is that the informant

took his wife to the clinic of Dr. Jyoti Jha for treatment.

Subsequently, when the informant went to take

medicine, he found his wife missing. From the

telephone call records, the informant came to know that

the petitioner and others had kidnapped his wife. In 164



Cr.P.C. statement the victim stated that she met with the petitioner in train when she was coming from Jalandhar, thereafter petitioner took the victim to Ambikanagar and Bagaha, kept her for ten days and ravished her.

It is submitted by the learned counsel for the petitioner that there are material contradictions between the statement of the victim in 164 Cr.P.C. statement and the accusation levelled in the FIR. Initially, it was stated that the victim was taken from the clinic of Dr. Jyoti Jha whereas the victim stated that she met the petitioner and others in train. More over, statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid inconsistencies between the statements of the victim and the informant constitute ground for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Motihari Town P.S. Case No. 593 of 2015 pending in the court of learned CJM, Motihari, East Champaran.

This application is disposed of with the
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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