

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42231 of 2014

Arising Out of PS.Case No. -10 Year- 2014 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. Ravi Bhushan Chaubey Son of Chitranjan Chaubey Residnet of Village -
Rampura, P.S - Singhwara, Dsitt- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 19-02-2015

Heard both sides.

The petitioner seeks bail in a case registered under sections 363, 365, 366(A), 120(B), 504, 506 of the Indian Penal Code.

The informant named the petitioner along with other accused persons and alleged that they kidnapped his minor niece Pargati Bhardwaj .

Learned counsel for the petitioner submits that the victim was eloped by the petitioner and she went along with the petitioner to Ludhiana. The victim also made her statement under section 164 Cr.P.C. and disclosed that the petitioner administered intoxicant and took her to different places but the

victim did not make any allegation of ill-treatment. The petitioner is in jail since 19.08.2014.

On the other hand learned counsel for the informant opposed the prayer for bail of the petitioner. He submits that the petitioner and victim are close agnates and they are in prohibited degree of marriage and no legal marriage can be solemnized between the petitioner and the victim. The petitioner has got otherwise intention either to sell or compel the victim for prostitution. The petitioner threatened the informant and his brother, thereafter the petitioner was apprehended. Therefore, the petitioner does not deserve bail.

On perusal of the record it appears that the victim herself disclosed that while she was returning to her house the petitioner and others compelled her and took her on a train. The victim was recovered from Ludhiyana. It appears that the victim did not complaint ill treatment at the hands of the petitioner. Petitioner was pressurizing her to marry and he was threatening her that if she does not marry she would be sold in foreign country.

Considering the facts and the nature of allegation and the fact that the petitioner has already remained in jail for six months, the above named petitioner is directed to be

enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial magistrate, Darbhanga, in L.N.M.U P.S. Case No. 10 of 2014.

(Prabhat Kumar Jha, J)

M.Rahman/-

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