

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21459 of 2015

Arising Out of PS.Case No. -113 Year- 2014 Thana -NAUHATTA District- SAHARSA

Kishore Chaudhary Son of Shambhu Chaudhary resident of village - Ara
Murli, P.S. Mahishi, District - Saharsa

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary

For the Opposite Party/s : Mr. Rana Randhir Singh(APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-06-2015 Heard both sides.

The petitioner seeks bail in a case under Section 376 and other sections of the Indian Penal Code.

The informant made allegation that the petitioner assured her to marry with her. The petitioner took her to Ludhiyana and established physical relation with her for one and a half years. Consequently she gave birth to a child who is aged 10 months. The prosecutrix earlier filed Nauhatta P.S.Case No. 29 of 2012 in which she alleged that the petitioner kidnapped her but she made her statement under Section 164 of the Cr.P.C. on 1.2.2014. She disclosed that she voluntarily went along with the petitioner. While the petitioner was in jail the informant lodged this case. The petitioner was granted bail on 15.10.2014 in Nauhatta P.S.Case

No. 29 of 2012 and thereafter the petitioner was remanded in this case. There appears that the victim is a major girl. The victim and the petitioner lived together as husband and wife.

Considering the facts aforesaid, the petitioner, above named, is directed to 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 Sri Awadesh Kumar, Judicial Magistrate, 1st Class, Saharsa, in connection with Nauhatta P.S.Case No. 113 of 2014.

(Prabhat Kumar Jha, J)

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