

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24244 of 2015

Arising Out of PS.Case No. -104 Year- 2014 Thana -SALKHUA District- SAHARSA

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1. Roushan Kumar Son of Sri Shambhu Sharma resident of village-
Goriyari, P.s.- Salkhua, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jayram Sharma, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since
21.01.2015 in a case registered for the offences punishable under
sections 363, 366A, 376, 34 of the Indian Penal Code and The
Protection of Children from Sexual Offences Act, 2012.

The prosecution case is that 15 years old daughter of
the informant was kidnapped on 20.06.2014, leading to
registration of FIR wherein the petitioner is named accused.

It is submitted by learned counsel for the petitioner
that for the same occurrence two FIRs one being Salkhua P.S.
Case No. 130 of 2014 lodged on 20.06.2014 whereas the present
case being Salkhua P.S. Case No. 104 of 2014 instituted by

mother of the informant. In 164 Cr.P.C. statement the victim got her age recorded as 16 years when the court assessed her age 19 years and during medical examination her age was assessed between 17 to 19 years. In her statement she further stated that she had never been kidnapped and she got married with this petitioner. Similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 24084 of 2015.

Considering the aforesaid facts, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saharsa in connection with Salkhua P.S. Case No.104 of 2014.

(Dinesh Kumar Singh, J)

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