

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10909 of 2015

Arising Out of PS.Case No. -85 Year- 2013 Thana -SARAIYA District- MUZAFFARPUR

Bindeshwari Rai Son of Late Bhorik Rai,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. P.N.Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 366A/34 of the Indian Penal Code.

It is alleged that minor daughter of the informant was kidnapped by the petitioner and one Nagendra Rai while she was going to school. Subsequently, the informant was assured by the petitioner that his daughter will return soon. On return, in the statement recorded under section 164 of the Cr. P.C. the victim has named this petitioner.

It is submitted by learned counsel for the petitioner that 164 statement was recorded after 7 days of her return which suggests that the statement is not reliable.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Saraiya P.S. Case No.85 of 2013, pending before the Sub-Divisional Judicial Magistrate(West), Muzaffarpur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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