

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13280 of 2015

Arising Out of PS.Case No. -726 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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1. Sharvan Kumar Son of Budhan Barai @ Bhagat resident of village - Mahisona, Tola - Basuachak, Police Station and District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. C. Jawahar (App)
Mr. J.N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-03-2015 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,368 and 372 of the Indian Penal Code.

The accusation is of abducting the minor daughter of the informant.

It is submitted by the learned counsel for the petitioner that for the occurrence of 21.10.2014 the FIR has been registered on 15.12.2014. In 164 Cr.P.C. statement the victim has got her age recorded as 15 years whereas the court has assessed her age as 17 years though the medical report suggests her age as 18-19 years. It is further submitted that though the victim was kidnapped but she

married with the petitioner and they are residing as husband and wife. More over, medical report does not suggest that any forcefully physical relationship was established with the daughter of the informant.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Lakhisarai in connection with Lakhisarai P.S. Case No. 726 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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