

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50353 of 2015

Arising Out of PS.Case No. -131 Year- 2015 Thana -SAHPUR District- PATNA

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1. Rahul Kumar Son of Surendra Rajak resident of Village- Police Station-
Sahpur and District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary

For the Opposite Party/s : Mr. Sunil Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 10-11-2015 Heard both sides.

Petitioner is named alongwith two others in Shahpur P.S.
Case No. 131 of 2015 registered under sections 363, 366(A) and
34 of the Indian Penal Code, who are said to have kidnapped the
daughter of the informant for the purpose of forcing her marriage
with co-accused Sanjay Kumar. The victim was retrieved and
produced for her statement under Section 164 Cr.P.C. which is
Annexure-2. In the said statement, she has not whispered anything
against the petitioner and has stated that she has married with
Sanjay Kumar on her own free will. The Counsel has drawn
attention of the Court to the age of the victim reflected in the said
statement to submit that indisputably she attained age of
understanding.

Considering the above, in the event of arrest or

surrender in the Court below within five weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri A.K. Thakur, Judicial Magistrate, 1st Class, Danapur, Patna in Shahpur P.S. Case No. 131 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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