

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4175 of 2015

Arising Out of PS.Case No. -31 Year- 2014 Thana -SHYAMPUR BHATHA District- SHEOHAR

Sri Gosai @ Sri Narayan Gosai, Son of Bhutta Gosai, Resident of Village
Harnahi West, P.S.+District Sheohar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Jitendra Kumar Singh-I(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 30-01-2015

Heard both sides.

The petitioner apprehends his arrest in Shyampur
Bhataha P.S. Case No. 31 of 2014, registered for the offences
punishable under Sections 363 and 366(A) of the Indian Penal
Code.

Informant Mahesh Singh alleged that one Shyam
Kumar always teased her daughter and on 11.05.2014 at about 2
A.M. he got up but did not find his daughter inside the house. On
enquiry, the informant came to know that Shyam Kumar, Sri
Gosai (petitioner) and Ravi Shankar Kumar enticed his minor
daughter to somewhere else.

Learned counsel for the petitioner submits that the
petitioner is the uncle of Shyam Kumar. From perusal of the First

Information Report itself, it would appear that the girl herself left the house of her parents in the mid of night and there is no eye witness to the occurrence.

A certificate has been filed showing that Kiran Kumari, the victim has solemnized marriage with Shyam Kumar.

Having considered the facts that petitioner is the uncle of Shyam Kumar and there appears no tangible evidence to show that he was also involved in kidnapping of the victim, petitioner Sri Gosai @ Sri Narayan Gosai, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Munsif-cum-Judicial Magistrate, Sheohar in connection with Shyampur Bhataha P.S. Case No. 31 of 2014, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

Sanjay/-

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