

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1214 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -PARWATTA District- KHAGARIA

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1. Suman Yadav @ Suman Kumar Son of Deokrishna Yadav, Resident of
Village - Lagan, Police Station - Parbatta, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-05-2015 The petitioner is apprehending his arrest in
connection with Parbatta P.S. Case No. 58 of 2014 for the
offence under Sections 366A, 342/34 of the Indian Penal Code.

Heard learned counsel for the petitioner and the
State.

The prosecution story, in brief, is that when the
informant had gone to meet call of nature and while she was
returning, then this petitioner caught hold her and forcibly got
her seated in Bolero vehicle and kidnapped her.

It is submitted on behalf of the petitioner that as
per the First Information Report the occurrence is said to have
taken place on 28.03.2014, but the case was instituted on
01.04.2014 and no explanation has been made on behalf of the
prosecution for the said delay. Further attention of this Court
has been drawn to Annexure-2 series which is dated

29.03.2014. The same is Sanha made by the victim and the mother of the victim before the police prior to institution of the present case and after the alleged date of occurrence.

From perusal of Annexure-2, it appears that the victim and the mother have stated in their sanha before the police that the victim girl had left the house as she was assaulted by her bother. Further, it is stated that the petitioner has no criminal antecedent.

On behalf of the State, it has been submitted that the petitioner is named in the First Information Report and the specific allegation has been made against him.

Considering the Annexure-2 series, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, 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 Additional Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 58 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sudhir Singh, J)

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