

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41340 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -MAJHAULIA District-
WESTCHAMPARAN(BETTIAH)

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1. Aurangjeb @ Aurangjeb Ansari son of Harif Ansari, resident of village-
Ramnagar Bankat, Police Station- Majhauria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Khurshid Anwar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 09-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 363 and 366A/34 of the
Indian Penal Code and section 8 of The Protection of Children
from Sexual Offences Act, 2012.

The accusation is of kidnapping the minor daughter of
the informant by the petitioner.

It is submitted by the learned counsel for the petitioner
that in 164 Cr.P.C. statement the victim got her age recorded as 18
years when the court assessed her age as 14 years whereas as per
medical assessment she was found between 17 to 18 years of age.
In 164 Cr.P.C. statement the victim has stated that she has never

been kidnapped and she is pregnant and she wants to stay with the boy as the parents are threatening her. The medical report also reflects that the victim was carrying pregnancy of 13 weeks 4 days. It is further submitted that in 164 Cr.P.C. statement the victim has not even named the petitioner. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

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 1st Additional District and Sessions Judge cum Special Judge, Bettiah, West Champaran in connection with Majhulia P.S. Case No.114 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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