

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42235 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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1. Manmohan Rai Son of Md. Bashir Resident of Village/Mohallah -
Madhipur, I.B. Road, P.S. - Kazi Mohammad, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sairun Nisha @ Sariun Nisha Wife of Md. Perwez, Daughter of
Nezamuddin Resident of Village - Basantpur Patti, P.S. - Sariya, District -
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur
For the Opposite Party/s : Mr. Asha Devi (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-02-2015 Heard both sides.

The petitioner seeks bail in a case registered
under sections 366(A), 323, 504 and 120(B) of the Indian Penal
Code.

The informant made allegation against Bhola
Rai and Uma Rai that they kidnapped his minor daughter Khusbu
Kumari.

Learned counsel for the petitioner submits that
the date of occurrence is 24.11.2013 and the complaint petition
was filed on 10.12.2013 on the basis of which the present first
information report was lodged. Petitioner Manmohan Rai is the

cousin brother-in-law of Bhola Rai. There is no allegation against him that he kidnapped the victim. The name of the petitioner figured in the case on the basis of the statement of the victim made under section 164 Cr.P.C. and she disclosed that one day Bhola Rai also came along with other inside the room and thereafter he went away. It is submitted that Man Mohan Rai has not played any role.

Learned counsel for the informant also did not dispute this fact. There is no allegation that he kidnapped the victim, even the victim did not make any allegation against the petitioner Manmohan Rai while she was staying at Delhi.

Considering the aforesaid fact, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate Muzaffarpur in Town P.S. Case No. 12 of 2014.

(Prabhat Kumar Jha, J)

M.Rahman/-

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