

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24084 of 2015

Arising out of PS.Case No. -130 Year- 2014 Thana -SALKHUA District- SAHARSA

Roushan Kumar, Son of Sri Shambhu Sharma, resident of village - Goriyari,
P.S. Salkhua, District – Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Jayram Sharma, Advocate.

For the Opposite Party : Mr. G.S. Gupta (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2015 The petitioner is languishing in custody since 03.02.2015 in connection with Salkhua P.S. Case No. 130 of 2014 for the offences instituted under Sections 363 and 366/34 of the I.P.C. but the charge sheet was submitted under Sections 363 and 366(A) of the I.P.C.

Heard learned counsel for the petitioner and learned counsel for the State.

The prosecution story, in brief, is that the informant's daughter, namely, Babli Kumari, aged about 15 years, was sleeping on the roof of the house on last dated 20.06.2014 at 8.30 P.M. The informant and other family members were busy in Saradh Bhoj of Chacheri grand-mother. The petitioner and other named co-accused came to the house of the informant and

kidnapped through motorcycle after closing the mouth of her daughter. The reason of kidnapping of the daughter of the informant is the statement recorded under Section 164 Cr. P.C. in connection with Salkhua P.S. Case No. 104/2014 and her daughter had given the statement against the named accused of the said F.I.R. before the court. The informant lodged F.I.R. on 22.06.2014 after two days of the occurrence.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case. It is further submitted that the victim girl has been examined under Section 164 Cr. P.C. Her statement is Annexure-2 to the present application which discloses that the victim of her own sweet will had left the house alongwith the petitioner. Further her age is shown as 19 years. It is further submitted that the petitioner is in custody since 03.02.2015.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances and the statement of the victim girl made under Section 164 Cr. P.C., let the petitioner above named 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 the learned

J.M. Ist Class, Saharsa, in connection with Salkhua P.S. Case No.
130 of 2014.

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(Sudhir Singh, J)

