

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48932 of 2015

Arising Out of PS.Case No. -110 Year- 2015 Thana -MUFFASIL District- AURANGABAD

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1. Umesh Chauhan Son of Shankar Chauhan, Resident of Village - Lapura,
P.s. - Aurangabad Muffasil, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh -Advocate

For the Opposite Party/s : Mr. Arvind Kr.Panday(APP)

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 04-11-2015

Heard learned counsel for the petitioner as well as
learned APP.

Petitioner, Umesh Chauhan, who was known to the
prosecution party since before, has been alleged to have enticed
away Anita Kumari, a married and for that, her father Nandlal
Rajak had filed a written report on 01.06.2015. The victim has
been examined under Section 164 Cr.P.C wherein she had alleged
that Umesh Chauhan had kidnapped her and taken her to Dhanbad
and kept her at the place of his *Phua* and emphatically denied that
she had seen Umesh since before the occurrence. However, she
claimed to identify him in case he is shown to her.

From the order impugned, it is evident that petitioner
Umesh was not put on TIP. Had there been the petitioner, then in
that event, there was no question for such kind of disclosure

because of the fact that the written report itself discloses presence of petitioner in the village since before and happens to be known to the prosecution party.

Accordingly, petitioner, Umesh Chauhan is directed to be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Mufassil PS Case No. 110/2015.

(Aditya Kumar Trivedi, J)

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