

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1470 of 2016

Arising Out of PS.Case No. -885 Year- 2015 Thana -AHIAPUR District- MUZAFFARPUR

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Rajesh Kumar Ram @ Rajesh Ram son of Ganeshi Ram, resident of
Village- Kolhua Paigamberpur, Police Station- Ahiyapur, District-
Muzaffarpur. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Sucheta Yadav, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner is accused in connection with Ahiyapur
P.S. Case No. 885 of 2015 registered under Sections 366A/34 of
the Indian Penal Code.

The prosecution case is that in the evening of
17.09.2015 Musarat Praveen, daughter of the informant had gone
to attend the call of nature but she did not return. The informant
while tried to search his daughter but no trace has been found. The
informant raised suspicion about kidnapping of his daughter by
Rajesh Ram and his family members as earlier threatening was
given to take away his daughter.

Learned counsel for the petitioner submits that, in fact,
there was love affairs between the petitioner and the daughter of
the informant and both moved and also, performed their marriage

and in that course, the informant and the petitioner were staying at the house of sister of the petitioner, from where, the victim is said to have been recovered but later on, due to pressure of parents, the victim is stated about taking her away forcibly, and also of keeping her at the house of his sister, from where, the Police apprehended both but the victim has not stated about any ill-behaviour or committing rape by this petitioner upon her. Learned counsel for the petitioner has further submitted that the age of the victim was assessed by the Medical Board, as 19 to 20 years on 28.09.2015 but the victim in her statement recorded under Section 164 of the Cr.P.C. denied the allegation in respect of rape and further, the victim refused about her medical examination.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 885 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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