

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10702 of 2016

Arising Out of PS.Case No. -199 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

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1. Awadhesh Kumar Son of Brahamdeo Rai, Resident of Village - Fular,
P.S. - Motipur, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sadanand Paswan(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 08-03-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 366 A of the Indian Penal Code
and Section 3 (i) (x) of S.C./S.T. (Prevention of Atrocities) Act.

Earlier, victim was allegedly kidnapped by the
petitioner and his associates for which Motipur P.S. Case No. 64
2015 was registered and in the aforesaid case, victim was
recovered and gave her statement under Section 164 of the Cr.P.C.
in which she stated that she had left her home by her own sweet
will and she was never kidnapped by any person. Moreover, in the
present case, again the statement of victim was recorded under
Section 164 of the Cr.P.C. in which she again stated that she was

scolded by her family members and she left her home by her own sweet will.

It is surprising enough that the learned Additional Sessions Judge has rejected the prayer for bail of the petitioner even the victim twice stated before the court that she was never kidnapped by any person.

Moreover, considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, (West) Muzaffarpur in connection with Motipur P.S. Case No. 199 of 2015.

(Hemant Kumar Srivastava, J)

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