

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9741 of 2016

Arising Out of PS.Case No. -101 Year- 2014 Thana -TOWN District- DARBHANGA

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1. Rajesh Sah @ Mithu @ Bhola Sah, Son of Umesh Sah, resident of Village + P.S.- Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 01-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The daughter of informant went missing on 05.04.2014 and in course of search, the informant came to know that petitioner and two others had taken away his daughter and again on 12.04.2014, one Navin Kumar disclosed that petitioner had solemnized his marriage with the victim in Nepal but again on 21.04.2014, the victim telephoned him and stated that she was being tortured by the petitioner and his family members. Admittedly, the present case was lodged on 25.04.2014 i.e. after twenty days of the alleged occurrence.

The victim has already returned and her statement under Section 164 of the Cr.P.C. has been recorded. No doubt,

victim stated that petitioner and co-accused, Pramod Kumar had taken away her as Pramod Kumar wanted to marry with her but submission on behalf of the petitioner is that victim voluntarily solemnized her marriage with co-accused, Pramod Kumar and the aforesaid fact is evident from perusal of Annexure-2 series. It is further submitted that when victim came in touch of her family members, she took U-turn and stated against the petitioner and co-accused, Pramod Kumar.

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 Chief Judicial Magistrate, Darbhanga in connection with Town P.S. Case No. 101 of 2014.

(Hemant Kumar Srivastava, J)

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