

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17149 of 2016

Arising Out of PS.Case No. -2 Year- 2011 Thana -SARAIYA District- MUZAFFARPUR

Suresh Rai, Son of Har Banshu Rai, Resident of Village- Bangara Muza,
P.S. Deoria, District Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bela Singh, Advocate

For the Opposite Party : Mr. Md.Sufiyan (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 05-07-2016

Heard both sides.

The petitioner apprehends his arrest in Saraiya PS
case no. 02/11 under Section 366A of the Indian Penal Code.

The informant named Ram Nath Rai and others and
alleged that they took his daughter to the house of his sister for
attending her but his daughter is traceless. The son of the informant also
accompanied the accused persons but he was dropped from the car.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. Nothing has been recovered from the
possession of the petitioner. Rinju Kumari @ Arti Kumari made her
statement under Section 164 of Cr.P.C. and alleged that petitioner and
Munna Yadav assaulted his brother and Raju Kumar and she was
forced to step down from the car while she was going to the house of
the sister of her father. It is submitted that Munna Yadav has already

been granted anticipatory bail by the Sessions Judge on 14.12.2015 although the victim named Munna Yadav and also alleged that he demanded ransom of rupees five to six lacs, but it appears from the perusal of the case diary that Raju Kumar was also apprehended, who disclosed that he married with the victim. The victim showed her certificate certifying her date of birth in the year 1992. The victim is a major girl. She also tried to save Raju Kumar and other accused persons by saying that she left her house in order to go to the house of her *Bua*. All the accused persons have already been enlarged on anticipatory bail. It appears that the victim travelled to many places with the accused persons but did not raise any alarm.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, West Muzaffarpur in Saraiya P.S. case no. 02/11 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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