

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45262 of 2015

Arising Out of PS.Case No. -58 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Rajesh @ Raju Mahaldar S/o Yogendra Mahaldar resident of Bariyapatti Kajha, P.S. K. Nagar, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Jagannath Yadav, S/O Late Chathuri Yadav , R/V- Bainiyapatti Kajha, P.S.- k. Nagar, District- Purnea.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Yogendra Kumar (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

6 20-01-2016 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Vide earlier order dated 04.11.2015 notices were issued to the Opposite Party No. 2 and the office has reported that the Opposite Party No. 2 has received the notice but has not appeared.

The petitioner seeks bail, who is languishing in custody since 17.02.2015 in a case registered for the offences punishable under Sections 363, 366 (A), 120 (B)/34 of the I.P.C.

The prosecution case as per F.I.R. based upon written report of one Jagannath Yadav before the police alleging therein that on 11.02.2015 his daughter Gunjan Kumari, aged about 17 years went to the Western side of his house for natural call. In the

meantime, the accused persons kidnapped her in their motorcycle and took her away. After search, it was found that Rajesh @ Raju Mahaldar fled away with his daughter by motorcycle.

It has been submitted by the learned counsel for the petitioner that the petitioner has performed marriage before the Notary Public, Katihar on 16.02.2015 with the daughter of the informant and is living her life with full dignity and honour.

The informant, who is father of the victim girl, Gunjan Kumari has accepted the notice but has not appeared before us, hence the marriage of the petitioner with the victim girl remains uncontroverted.

Be that as it may, the above named petitioner, Rajesh @ Raju Mahaldar is directed to 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 learned Chief Judicial Magistrate, Purnea in connection with K. Nagar P.S.Case No. 58/2015.

(Nilu Agrawal, J)

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