

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4184 of 2016

Arising Out of PS.Case No. -482 Year- 2015 Thana -MARHAURA District- SARAN

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1. Mukesh Rai, Son of Late Om Prakash Rai, resident of Village- Bardahiyan, P.S.- Marhowrah, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

The prosecution case is of abducting the minor daughter of the informant by two motorcycle borne miscreants, one of them being the petitioner who was identified by the wife of the informant.

It is submitted by the learned counsel for the petitioner that in 164 Cr.P.C. statement the victim got her age recorded as 17 years when the court assessed her age as 18 years though as per medical assessment she was found to be 19 years of age when no injury, particularly on private part, has been found. The victim has

further stated that she of her own went in the company of the petitioner to Delhi. The victim denies to have been kidnapped.

Considering the 164 Cr.P.C. statement of the victim and statement made in paragraph 3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Saran at Chapra in connection with Marhowrah P.S. Case No.482 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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