

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15360 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

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Ratnesh Kumar Son of Indradeo Singh, Resident of Village- Mirjanagar,
P.S.- Mahua, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Jain, Advocate.

For the Opposite Party : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 29-04-2016 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 366(A), 363/34 of the Indian Penal Code.

Allegation against the petitioner is that the petitioner kidnapped the minor daughter of the informant.

It is submitted that the victim made her statement under Section 164 of the Cr.P.C. and she disclosed that she voluntarily left her house and went along with the petitioner. She also voluntarily solemnized marriage with the petitioner. The School Leaving Certificate shows the date of birth of the victim is 16.12.1996. The doctor also assessed the age of the victim between 17-18 years.

Considering the facts that the victim herself denied the allegation of kidnapping and according to the School Leaving Certificate she appears to be more than 18 years of age on the date of occurrence, the petitioner above named, in the event of his arrest or surrender before the 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in Mahua P.S. Case No. 72 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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