

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13705 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -MAJHAHGARH District- GOPALGANJ

1. Binay Kumar Shaw @ Binay Kumar Son of Panna Lal Shaw, resident of village- Dhamapakar, P.S.- Manjhagarh, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-06-2016 Heard both sides.

The petitioner apprehends his arrest in a case under Section 363, 366A, 34 of the Indian Penal Code.

The informant, mother of the victim, alleged that while her daughter had gone to purchase books, Dhananjay Kumar and this petitioner kidnapped her on a Bolero jeep.

The learned counsel for the petitioner submits that the victim had already returned and she made her statement under section 164 of the Cr. P. C. She disclosed her age as 19 years and stated that she wanted to go along with her husband, Dhananjay Sah, as she was in love with him. The victim did not name the petitioner.

The learned counsel for the informant as well as the

learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail.

Taking into consideration the statement of victim under section 164 of the Cr. P. C. in which she did not name the petitioner and stated that she voluntarily left her house along with Dhananjay Sah, 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 the learned Chief Judicial Magistrate, Gopalganj in Manjhagarh P.S. Case No. 06 of 2016, 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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