

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24296 of 2016

Arising Out of PS.Case No. -61 Year- 2016 Thana -GOGRI District- KHAGARIA

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Anand Kumar@ Anand Kumar Gupta, son of Late of Panna Lal Sah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. U.S.Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-05-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

The prosecutions case is that on 07.04.2013 at about 9 A.M., the daughter of the informant, namely, Khushbu Kumari aged about 17 years had gone to the Jamalpur market to purchase copy/books but did not return. The informant searched his daughter and during the search, he came to know that his daughter was seen going towards Paraha by a four wheeler with the accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that on recovery of the victim, a statement under 164 Cr. P.C. was

recorded, wherein she got her age recorded as 18 years, whereas the Court assessed her age as 17 years. In 164 Cr.P.C. statement the victim has stated that she after performed marriage went in the company of the petitioner out of her own sweet will and was living with him as wife. She further stated that she has never been kidnapped by the petitioner.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the petitioner above named in the event of his arrest or surrender before the Court below within a period of twelve weeks from today, 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 Judicial Magistrate 1st Class, Khagaria in connection with Gogri P.S. Case No. 61 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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