

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30560 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -GHORASAHAN District- EAST
CHAMPARAN (MOTIHARI)

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Subodh Kumar Son of Jagat Narayan Prasad, Resident of village- Balapur, P.S-
Ghorasahan, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar No. 3 & Mr. Rajesh Kumar, Advocates
For the State	:	Mr. P. K. Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 22-10-2016

Heard learned counsel for the parties.

The petitioner apprehends arrest in connection with
Ghorasahan P.S. Case No. 93 of 2016 dated 02.04.2016 instituted
under Sections 366A/34 of the Indian Penal Code.

The allegation against the petitioner along with two
others is of forcibly abducting the minor sister of the informant for
marriage.

Learned counsel for the petitioner submits that all the
three accused are related and in the statement recorded before the
Court under Section 164 of the Code of Criminal Procedure, 1973,
the victim girl though has stated that all the three accused had lifted
her but she has also stated that co-accused Nitish Kumar, with whom
alone she had gone to Nepal, did not do any wrong act and also that

she was in love with him. Learned counsel submits that the doctor has examined the girl and assessed her age to be 17-18 years. Learned counsel submits that he is also a young student, having clean antecedent and has no role in the entire episode as it was a clear case of love affairs where the girl herself had gone away with her lover.

Learned A.P.P. submits that the petitioner also was instrumental in the girl having gone with the co-accused.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Ghorasahan P.S. Case No. 93 of 2016, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J.)

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