

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33155 of 2016

Arising Out of PS.Case No. -113 Year- 2014 Thana -GOGRI District- KHAGARIA

1. Rikesh Kumar Das Son of Late Bajrangi Das resident of village- Goraiya
Bathan, P.S.- Gogri, District- Khagaria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishweshwar Ram, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Supplementry Gogri P.S.Case No. 113/2014, Sessions Trial
No. 02/2015 registered for the offence punishable under Sections
366 (A)/34 of the Indian Penal Code.

The prosecution case is that on 17.06.2014 at 1 P.M.
the daughter of the informant namely, Sahana Khatoon @
Sahajadi, aged about 16 years had gone to Jamalpur market and
did not return till evening. The informant made hectic search but
victim could not be traced out and during search, he found clue
that his daughter had been kidnapped by Rikesh Kumar
(petitioner) and his family and as such the present case has been

lodged.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the victim girl Sahana Khatoon @ Sahjadi had gone out of her own will with the petitioner, married on 10.02.2014 and are living as husband and wife happily, which is found at Annexure-2 It has further been submitted that the victim girl has recorded her statement under Section 164 of the Cr. P. C. before the Judicial Magistrate, Ist class, Khagaria in which her age has been recorded as 18 years.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Be that as it may, since the age of the victim girl has been recorded to be 18 years before the Judicial Magistrate, Ist class, Khagaria and she married with the petitioner out of her own sweet will, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of Sri Brajesh Kumar, Judicial Magistrate, 1st class, Khagaria in Supplementary Gogri

P.S.Case No. 113/2014, Sessions Trial No. 02/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



Sudha/-

(Nilu Agrawal, J)

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