

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43911 of 2016

Arising Out of PS.Case No. -114 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Mukesh Kumar, S/o Shyam Lal Mandal, resident of Village- Brahamchari
Tola, P.S.- Ghogha, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

5 20-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Kahalgaon (Ghogha) P.S. Case No. 114 of 2016 registered under

Sections 366A and 506 of the Indian Penal Code.

The accusation is of kidnapping of the daughter of the

informant by this petitioner with the help of his friend, Sipahi

Mandal, with intention to perform the marriage.

Learned counsel for the petitioner submits that, in fact,

there was love affairs between the petitioner and the daughter of

the informant and she moved from house according to her sweet

will with this petitioner and performed the marriage with the

petitioner but due to ulterior motive the present false case has been



lodged against the petitioner. It is further submitted that the statement of the victim, daughter of the informant, has been recorded, under Section 164 of the Cr.P.C., in which, she has stated that she moved from the house with this petitioner according to her sweet will and performed her marriage with this petitioner and the court has assessed the age of the victim as 17 years.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhagalpur, in connection with Kahalgaon (Ghogha) P.S. Case No. 114 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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