

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19637 of 2016

Arising Out of PS.Case No. -137 Year- 2015 Thana -BIHRA District- SAHARSA

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Bishun Rai, S/o Late Jagdish Rai, Resident of village - Bharkura Tajpur,
P.S. Tajpur, District – Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-05-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Bihra
P.S. Case No. 137 of 2015, registered under Section 366(A)/34
of the Indian Penal Code and Section 8 of the POCSO Act.

The accusation is of kidnapping of victim, sister of
the informant, by five persons named in the F.I.R. including the
petitioner in the evening of 26.06.2015. While the victim was
earlier kidnapped by co-accused Pawan Kumar regarding which
Saharsa Sadar P.S. Case No. 880 of 2014 was instituted and the
trial was going on and on the date of occurrence informant had
gone in the Court for giving his evidence.

Learned counsel for the petitioner submits that, in
fact, there was love affair in between the co-accused Pawan

Kumar and the sister of the informant and both moved from there house according to their sweet will, but on the pressure of the family members of the victim, she stated about the kidnapping by Pawan Kumar, but she again fled away by the said Pawan Kumar and petitioner being the brother-in-law of Pawan Kumar has falsely been implicated in this case. The petitioner is in custody since 23.01.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Addl. District and Sessions Judge-1st, Saharsa in connection with Bihra P.S. Case No. 137 of 2015 (POCSO Case No. 19 of 2015).

(Rajendra Kumar Mishra, J)

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