

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3732 of 2016

Arising Out of PS.Case No. -198 Year- 2015 Thana -GAYGHAT District- MUZAFFARPUR

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MITHLESH KUMAR @ MITHILESH KUMAR S/o Rajendra Rai R/o,
Village- Mominpur, P.S.- Mushahari, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party : Mr. Awadhesh Kr.Singh(APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-04-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner apprehended his arrest in connection
with Gayghat P.S. Case No. 198/2015 registered for the offences
punishable under Sections 363 and 366(A)/34 of the Indian Penal
Code.

The learned counsel for the petitioner submits that
though there is allegation that the petitioner took away the minor
daughter of the informant now the victim girl has been recovered.
It is further submitted that in the statement under Section 164 of
Cr.P.C. the victim girl has stated that she went with the petitioner
of her own sweet will and that he has not indulged in any
untoward act. It is further submitted that the statement under

section 164 of Cr.P.C. does not reveal that she was enticed away by the accused except that she was made to travel from one place to other and finally brought back to her native home.

Considering the nature of the allegation and that the victim girl has not said anything against this petitioner, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Kumar Dixit, Judicial Magistrate 1st Class, Muzaffarpur in connection with Gayghat P.S. Case No. 198/2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J.)

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