

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50606 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -SARAIYA District- MUZAFFARPUR

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Chandan Kumar, son of Horil Sah, resident of village - Chakmadhua Bazar,
P.S. Saraiya, District : - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Saraiya
P.S. Case No.271 of 2014/G.R. No.2019 of 2014 registered under
Sections 366-A/34 of the Indian Penal Code.

The accusation is of kidnapping Rekha Kumari, aged
about 15 years, the daughter of the informant, Shiv Shankar Sah,
by this petitioner, son of Horil Sah, with the help of his other
family members.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that Horil Sah, the
father of the petitioner, and Shiv Shankar Sah, the informant, the

father of the victim, are full brothers. There is land dispute in between them which has been admitted by the victim herself in her statement recorded under Section 164 of the Code of Criminal Procedure. In fact, the victim used to come at the house of the petitioner and she fell in love with the petitioner and moved from the house at her own sweet will with the petitioner. Later on, the victim was medically examined and her age has been assessed to be 19-20 years by the Medical Board on 26.08.2014 but due to pressure of her parents and land dispute, the victim has supported the prosecution regarding her kidnapping by the petitioner and his other family members. The petitioner is in custody since 31.07.2015.

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 Sub-Divisional Judicial Magistrate, West Muzaffarpur, in connection with Saraiya P.S. Case No.271 of 2014/G.R. No.2019 of 2014.

(Rajendra Kumar Mishra, J)

P.S./-

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