

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57577 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -BAHERI District- DARBHANGA

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Navin Kumar Poddar @ Navin Poddar Son of Roop Narayan Poddar, R/o village- Narayanpur, Dohat Tole Chhapki, P.S.- Baheri, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suman Kumar Singh

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 14-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 363 and 366/34 of the Indian Penal Code.

The prosecution case is that the sister of the informant, namely, Sweta Kumari aged about 16 years, has been enticed away by the petitioner with the help of others for the purposes of marriage.

It is submitted by learned counsel for the petitioner that in 164 Cr.P.C. statement the victim got her age recorded as 14 years when the court has assessed as such where

she has stated that the petitioner abducted her when the victim returned on the same day and after her return the First Information Report was lodged, but this fact has been concealed by the informant in the FIR that the victim has returned. It is further submitted that after 20 days of the occurrence the victim claimed herself to be major and she has retracted from the accusation.

The earlier prayer for anticipatory bail of the petitioner was rejected vide order dated 24.08.2015 passed in Cr. Misc. No. 34108 of 2015.

This Court is not inclined to revise the earlier order, but in view of the retracted version of the victim, it is a case for consideration of prayer for bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Baheri P.S. Case No. 69 of 2015 pending in the court of learned Chief Judicial Magistrate, Darbhanga.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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