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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28211 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -RAGHUNATHPUR District- SIWAN

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Vijay Sharma @ Laddu Sharma son of Radheshyam Sharma R/o village - Suttanpur, P.S. - Raghunathpur, District - Siwan.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :
For the Petitioner/s : Mr. Yogendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr. Ajay Kumar-1

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

3 27-09-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 7.4.2016 in a case registered under Sections 366 and 366A/34 of the Indian Penal Code.

There is allegation against the petitioner that he along with others kidnapped the informant's minor daughter on 25.11.2015 and the informant claims that his wife was eye witness of the alleged occurrence but even then the first information report was lodged on 28.1.2016. Moreover, the victim was recovered and her statement under Section 164 of the Cr.P.C. was recorded in which she stated that she was forcibly taken away by the petitioner and others to Delhi where she was made captive and petitioner

also forcibly established physical relation with her but any how she informed her parents who came there and took her to her home.

Submission on behalf of the petitioner is that the victim was consenting party and, as a matter of fact, when she came in clutches of the informant, she took 'U' turn and gave statement against the petitioner. It is further stated that, as a matter of fact, the victim was recovered from railway platform at Siwan and, therefore, the statement of the victim appears to be doubtful.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of AC.J.M.-IV, Siwan in connection with Raghunathpur P.S. Case No.9 of 2016.

(Hemant Kumar Srivastava, J)

N.H./-

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