

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42904 of 2016

Arising Out of PS.Case No. -99 Year- 2014 Thana -KHAGARIA District- KHAGARIA

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Vijay Kumar Son of Sri Gopi Poddar Resident of Village- Ujiyarpur, P.S.
Ujiyarpur, District Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Bhushan, Adv.

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 13-12-2016 Heard both sides.

The petitioner seeks bail in Khagaria P.S. Case No. 99/2014, registered for the offences punishable under Sections 366, 376, 323 and 379 of the Indian Penal Code.

The informant alleged that his wife had gone to market, but she did not return till 8.00 in the night. It is further alleged that the petitioner was working in the mobile shop of his brother. He was caught red-handed while stealing mobile. The informant suspected that the petitioner and others kidnapped his wife.

Learned counsel for the petitioner submits that there is business rivalry. The wife gave her statement under Section 164 Cr. P.C. after being tutored by her husband. She came herself. She was not recovered from the possession of the petitioner. The



doctor did not find any sign of rape.

It appears that informant and petitioner are close relative. Petitioner is son of brother of the mother-in-law of the victim. Petitioner was also residing in the house of the informant. The wife of the informant made allegation that she was called by the petitioner and his parents who were on a four-wheeler. The wife of the informant also boarded on the four-wheeler, but thereafter, the petitioner snatched her ornaments and kept her captive, but she did not raise alarm anywhere while she was taken by the accused persons.

Considering the facts aforesaid and the fact that victim appears to be a consenting party, the petitioner above-named, is directed to 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 99/2014.

(Prabhat Kumar Jha, J.)

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