

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21211 of 2016

Arising Out of PS.Case No. -6 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

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1. Raja Sahani, S/o- Dukha Sahani, Resident of Village- Jhapahan Dih,
P.S.- Ahiyapur, District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Advocate

For the Opposite Party/s : Mr. Manish Kr.- 2 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 01-07-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Minapur P.S. Case No. 06 of 2016 registered for the offence punishable under Section 366-A/34 of the Indian Penal Code.

Allegedly, the daughter of the informant aged 15 years, student of class 10th was kidnapped by the petitioner and during investigation, the victim girl was recovered and the petitioner was arrested. The statement of the victim girl was recorded by the police and also under Section 164 Cr.P.C. wherein, she has supported the allegation of kidnapping by the petitioner.

Submission is of false implication and that the victim girl being major, went away with her own consent, she has performed marriage with the petitioner out of her own sweet will and in this regard, she sworn affidavit before Notary Public, Muzaffarpur, vide

annexure 4/I. The victim girl after recovery and under pressure of her guardian has changed her version but she has not alleged any sexual assault or harassment against the petitioner and petitioner is suffering in custody since 20.01.2016.

The learned A.P.P. submits that the petitioner was apprehended along with the victim.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and, as such, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Minapur P.S. Case No. 06 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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