

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15059 of 2016

Arising Out of PS.Case No. -90 Year- 2015 Thana -LAUKHA District- MADHUBANI

Rakesh Kumar Safi @ Rakesh Kr. Safi son of Kumar Safi

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. A.Haque Sahara(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 143, 341, 323, 385, 366A, 504 and 506 of the Indian Penal Code and 8 of the Protection of Children from Sexual offences Act.

The accusation is of abducting the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that in 164 Cr. P.C. statement, the victim got her age recorded as 19 years when the court assessed her age as 18 years, hence no offence under the provision of The Protection of Children from Sexual Offences Act is made out. In 164 Cr. P.C. statement, the victim stated that she of her own married with the petitioner and she has not been abducted. A statement has been made in para 3 of

the petition that the petitioner has no criminal antecedent.

Considering the 164 Cr. P.C. statement of the victim, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Madhubani in connection with Laukaha (Lalmaniya) P.S. Case No. 90 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

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(Dinesh Kumar Singh, J)