

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16898 of 2016

Arising Out of PS.Case No. -530 Year- 2015 Thana -MAHUA District- VAISHALI(HAJIPUR)

Subodh Kumar Mahto @ Subodh Kumar, Son of Devendra Mahto

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Renuka Ratnakar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the Indian Penal Code.

The prosecution case is of abducting the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the victim in 164 Cr.P.C. statement got her age recorded as 17 years when the court has assessed as such where she has stated that she was forcibly taken by Ratnesh Kumar, Alok Kumar and the petitioner and they confined her in a room. It is further submitted that there was love affair between co-accused Ratnesh Kumar and the victim girl. There is no

accusation that the accused persons misbehaved with the victim girl. Moreover, it appears from 164 Cr.P.C. statement that the victim returned of her own and considering the same co-accused Ratnesh Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 8213 of 2016.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 530 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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