

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34429 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Dhanjee @ Dhan Babu Noniya @ Dhanjee Nonia @ Dhan Babu Son of
Shyam Bihari Noniya R/o Village: Jagadatpur, P.S. Kargahar, District
Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar

For the Opposite Party : Mr. Nityanand Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 363 and 366A of the Indian Penal Code but the charge
sheet has been submitted under sections 363, 366A, 376 of the
Indian Penal Code and Sections 3 and 4 of the POCSO Act.

The informant has got suspicion that his daughter has
been kidnapped by the petitioner, as the petitioner used to call
from his mobile no. 7033631432 on the informant's mobile no.
9162423904 to talk to his daughter.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 27.01.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of

witnesses alleged against the petitioner. The date of occurrence was 12.01.2016 and the F.I.R. was instituted on 16.01.2016. The delay has not been explained. The victim is suspected to have eloped with the petitioner. After the recovery, the victim girl was referred for medical examination at a hospital in Delhi. From perusal of the said Medical Examination Report, it appears that the victim refused to go through medical examination and she refused to get admitted in the hospital. Thereafter at Sasaram, a Medical Board was constituted for examining the victim, where her age was assessed to be about 25 years. Admittedly, she is not minor. The said report of the Medical Board do not support the allegations made by the prosecution.

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned 1st Additional District and Sessions Judge, Rohtas at Sasaram, in connection with Kargahar P.S. Case No. 14 of 2016.

(Sudhir Singh, J.)

Amit/-

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