

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45993 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -GOVINDPUR District- NAWADA

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Jaymanti Devi, w/o Sarjun Ravidas, resident of village Darshan, P.S. Govindpur, district Nawadah	 Petitioner
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Versus

The State of Bihar	 Opposite Party
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Appearance :

For the Petitioner : Mr. Devendra Prasad Singh, Adv.

For the Opposite Party : Mr. Anand Mohan Prasad Mehta, APP 9

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-10-2016

Heard the learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in Govindpur P.S. Case No. 10 of 2016 for offence under Section 366A of the Indian Penal Code.

The prosecution case is that on 13.03.2016 while the daughter of the informant Rangoli Kumari was cooking the petitioner came and conveyed her that she is being called by his son, Atish Kumar, thereafter the daughter of the informant went with the petitioner, but, she never returned. Subsequently, it was found that she was abducted by the son of the petitioner, Atish Kumar.

It is submitted by the learned counsel for the petitioner that in statement under Section 164 of the Criminal Procedure Code the victim got her age recorded as 14 years where she has stated that on 13.03.2016 she was going to take tuition when Atish Kumar, the son of the petitioner, tried to entice her away which was protested by her. Atish Kumar was in company of her maternal uncle Arjun Ravidas, Bhim Ravidas.

It is, further, submitted by the learned counsel for the petitioner that the accusation of calling the daughter of the informant by the petitioner from her house has not been supported by the victim in her statement under Section 164 of the Criminal Procedure Code. The thrust of accusation is against the son of the petitioner, Atish Kumar.

Considering the facts and circumstances to the effect that the victim has not named the petitioner, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Govindpur P.S. Case No. 10 of 2016 to the satisfaction of the Chief Judicial Magistrate, Nawadah, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Dinesh Kumar Singh, J)

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