

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57382 of 2015

Arising Out of PS.Case No. -367 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

1. Raj Kamal Chaoudhary S/o Sri Ravishankar Choudhary @ Raju R/o
Mehshi, P.S. Mehshi, Distt. - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-01-2016 Heard learned counsel for the petitioner and learned
A.P.P.for the State.

The petitioner apprehends his arrest in connection with
Bihar P.S.Case No. 367/2015 registered for offences punishable
under Sections 365/366 of I.P.C.

The prosecution case is that informant Asfa Khatoon
gave a written report to the O/C Bihar P.S. in evening on
08.08.2015 that her sister, nanad of her sister and her daughter
aged about 18 years went out of house for purchasing house
articles. Her daughter said to her sister that she is going to post
office chowk to purchase belt. It is further stated that petitioner
also accompanied her from there. When her daughter,did not

return then her sister went to search her. It is further stated that petitioner always used to come to her house and also talked on cell phone with her daughter. The informant alleged that petitioner had taken away her daughter for purpose of marriage.

It has been submitted by the learned counsel for the petitioner that in the F.I.R., the petitioner's name has been wrongly described the father's name is written as accused which alone falsifies the allegation against the petitioner.

It is further submitted that the petitioner is innocent and both the victim and petitioner have been married out of their own sweet will. Even the statement of the victim under Section 164 of the Cr.P.C. states the age of the victim is 24 years and she has categorically stated that she has not been kidnapped and is married wife of the petitioner and wants to live in her husband's house.

Furthermore, it has been submitted that the petitioner has no criminal antecedent as is evident from para-3 of the petition.

Be that as it may, let the petitioner, namely Raj Kamal Choudhary, in case of arrest or surrender within a period of eight weeks from today before the Court below, be released on bail on furnishing bail bondsf Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned

Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Bihar P.S. Case No. 367/2015, subject to the conditions as laid down under section 438 (2) of the Code of Criminal Procedure.



(Nilu Agrawal, J)

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