

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46420 of 2016

Arising Out of PS.Case No. -63 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

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Raushan Kumar S/o Rajnarayan Das, Resident of Village Shaympur, P.S.
Sakara, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Ms. Indu Bala Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 22-12-2016 Heard both sides.

The petitioner seeks bail in Ujiarpur P.S. Case No. 63 of 2016, registered for the offences punishable under Section 366 of the Indian Penal Code.

The informant, father of the victim, alleged that his daughter had come from her husband's house along with maternal brother of her husband. The informant's daughter got a child. The informant's daughter along with her child and sister-in-law went to get treatment of her daughter in the clinic of Dr. Sanjiv Kumar Chaudhary but his daughter became traceless. The informant alleged that the petitioner is maternal brother of the husband of his daughter must have kidnapped his daughter.

Learned counsel for the petitioner submits that the



victim was although a married lady but she was having love affairs with the petitioner and that is why the petitioner and the victim fled away and went to different place. The victim was apprehended with the petitioner and she made her statement under Section 164 of the Code of Criminal Procedure. The victim disclosed her age to be 19 years. Of course, the victim alleged that the petitioner kidnapped her but she did not raise any alarm or protest during stay at different places with the petitioner and this fact itself shows that the victim is a major girl and she with her free will moved hither and thither along with the petitioner. The petitioner is in jail since 15.05.2016.

Considering the facts aforesaid, the petitioner above named is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Dalsingsarai in Ujiarpur P.S. Case No. 63 of 2016.

(Prabhat Kumar Jha, J.)

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