

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1894 of 2017

Arising Out of PS.Case No. -658 Year- 2016 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Ravi Ranjan Kumar, Son of Upendra Kumar @ Upendra Sah, Resident of
Village-Moraul, Police Station-Maniyari, District-Muzaffarpur

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

For the Informant : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 03-03-2017 Heard learned senior counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant.

The petitioner seeks bail in connection with

Muzaffarpur Town P.S. Case No.658 of 2016 registered under

Sections 364/34 of the Indian Penal Code.

The accusation is that on 01.09.2016, Arti Kumari, the

daughter of the informant Parwati Devi, had gone to Radhakrishna

Temple Yadupati Lane for worship but she did not return. In

course of her search, the informant came to know that her

daughter has been kidnapped by Ravi Ranjan Kumar (petitioner),



Guddu Kumar and Manoj Kumar with an intention to kill and conceal her dead body. Further allegation of the informant is that her daughter had also been kidnapped earlier regarding which Muzaffarpur Town P.S. Case No.506 of 2016 was instituted and after her recovery, her statement, under Section 164 of the Code of Criminal Procedure, was recorded, in which she had stated about her kidnapping by this petitioner and his other family members.

Learned senior counsel appearing on behalf of the petitioner submits that, in fact, the petitioner and the informant are the resident of village-Moraul. Due to love affair in between the petitioner and the daughter of the informant, the daughter of the informant had earlier left the house according to her own sweet will but Muzaffarpur Town P.S. Case No.506 of 2016 was instituted for her kidnapping and, in that case, after her recovery, the daughter of the informant, gave her statement under Section 164 of the Code of Criminal procedure about her kidnapping by this petitioner and his family members under the pressure of her family members. Again, the daughter of the informant, who is major, left the house according to her own sweet will and started to live with this petitioner and both were apprehended by the police and, again, under the pressure of her family members, the daughter of the informant gave her statement, under Section 164



of the Code of Criminal Procedure, about her kidnapping by this petitioner and two others and committing rape on her only by this petitioner, as detailed in paragraph-27 of the case diary. Further submission is that at the time of recoding her statement, under Section 164 of the Code of Criminal Procedure, the age of the daughter of the informant has been assessed as 19 years and she has also disclosed her as 19 years. The petitioner is in custody since 28.11.2016.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Town P.S. Case No.658 of 2016.

(Rajendra Kumar Mishra, J)

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