

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12396 of 2017

Arising Out of PS.Case No. -155 Year- 2016 Thana -WARISNAGAR District- SAMASTIPUR

Prabhat Nayak Son of Late Ram Chandra Nayak, Resident of Village-
Mohiuddinpur Ekdwary, P.S.- Warisnagar, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Adv.

For the Opposite Party/s : Mr. Ajay Kumar-1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 20-03-2017 Heard both sides.

The petitioner seeks bail in Warisnagar P.S. Case No. 155/2016, registered for the offences punishable under Sections 363, 366, 341, 323, 504 and 34 of the Indian Penal Code.

The informant alleged that the petitioner and others kidnapped his wife.

Learned counsel for the petitioner submits that no offence under Sections 363, 366 of the Indian Penal Code is made out. The victim alleged that the petitioner took her to Gwalior, but from the contents of the statement made by the victim under Section 164 Cr. P.C. itself, it appears that she is a consenting party. She did not allege any ill-treatment at the hands of the petitioner. At best offence under Section 498 can be made out.



Considering the facts aforesaid and nature of allegation made against the petitioner, 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 Chief Judicial Magistrate, Samastipur in connection with Warisnagar P.S. Case No. 155/2016.

(Prabhat Kumar Jha, J.)

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