

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24277 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -RUNISAIDPUR District- SITAMARHI

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1. Darshan Rai, son of Late Ram Nandan Rai, resident of Village- Manik Chowk, Dakshini Tole Bhawanipur, P.S.- Runnisaidpur, Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Sinha, Sr. Adv.

Mr. Virendra Kumar, Adv

For the State : Mr. Sri Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-06-2017 Heard learned counsel for the petitioner and learned Addl. Public Prosecutor for the State.

The petitioner seeks bail in Runnisaidpur P.S. Case No. 95 of 2017 instituted for the offence under Sections-363, 366A, 354(A) of the Indian Penal Code and 18 of POCSO Act.

It is alleged in the written report that on 28-02-2017 at about 8.00 p.m. this petitioner called the daughter of the informant aged about 14 years. The wife of the informant went to house of the petitioner in search of her daughter but informant's daughter was not found there. The wife of the informant learnt that the petitioner kidnapped the minor daughter of the informant for the purpose of marriage and illegal act.

The C.D. has been received.

The statement of the victim girl has been recorded u/S 164 of the Cr.P.C. which is available in the case diary. The victim girl in her statement recorded u/S 164 of the Cr.P.C. has stated her age as 18 years. The court has assessed her age as 16 years. The victim girl has stated in her statement that



she had love with the petitioner and later on, she learnt that he is married. She has further stated that the petitioner established physical relationship with her.

Counsel for the petitioner has submitted that the occurrence is alleged to have taken place on 28-02-2017. The case has been registered after delay of four days on 03-03-2017. It has further been submitted that there was love affairs between the petitioner and victim girl. The petitioner is said to be in custody since 03-03-2017.

Learned APP after verifying the case diary has submitted that the victim girl has not been medically examined.

In such circumstances, prayer for bail is allowed. The petitioner, named above is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Runnisaidpur P.S. Case No. 95 of 2017 to the satisfaction of learned A.D.J.- Ist, Sitamarhi subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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