

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4689 of 2017

Arising Out of PS.Case No. -196 Year- 2016 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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GAUTAM KUMAR @ GAUTAM RAJ S/o Devendra Thakur, Resident of
Village- Simri, P.S. Simri, District- Darbhanga, at present residing at
Gautam Kumar S/o Devendra Thakur, Mohalla- P & T. Colony, P.S.
L.N.M.U. District- Darbhanga. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
L.N.M.U. P.S. Case No. 196 of 2016 registered for the offence
punishable under Section 366(A) of the Indian Penal Code.

Allegedly, the daughter of the informant aged about 16
years went out from her house saying that she was going to
college but she did not return to her home till evening. It is alleged
that the petitioner used to talk with the victim girl and he was
roaming in her Mohalla and as such the petitioner with the help of
his brother, father and maternal uncle kidnapped the minor
daughter with some bad intention.

Submission is of false implication and that the victim
girl has been examined under Section 164 Cr.P.C. in which she



stated that her mother scolded her so she left her house on her own will and when her money finished then, she returned back, she also stated that no one has kidnapped her. The victim girl has been examined by the doctor and doctor has found her age to be 17-18 years and as such the petitioner deserves sympathetic consideration.

Learned APP submits that from the impugned order it reveals that the victim girl has not supported the allegation of kidnapping in her statement recorded under Section 164 Cr.P.C.

In the facts and circumstances stated above, the petitioner above named, in case of his surrender or arrest within four weeks from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with L.N.M.U. P.S. Case No. 196 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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