

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11174 of 2017

Arising Out of PS.Case No. -163 Year- 2016 Thana -NAUHATTA District- SAHARSA

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Shivjee Paswan, son of Shivram Paswan, resident of Village+P.O.+P.S.-
Nauhatta, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Jyoti Prabhakar, Advocate.

For the Opposite Party/s : Mr. Rajkishore Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-05-2017 Heard both sides.

The petitioner apprehends his arrest in Nauhatta
P. S. Case No. 163 of 2016 registered for the offences under
Sections 366(A), 504 and 34 of the Indian Penal Code.

The informant alleged that the petitioner enticed
away his minor daughter. During the course of investigation, the
victim was recovered and made her statement under Section 164
of the Code of Criminal procedure and she disclosed that she
voluntarily went along with Shivjee Paswan (petitioner) to
Ludhiyana and solemnized marriage with Shivjee Paswan in a
temple.

Learned counsel for the petitioner submits that the
informant and his family members made allegation of kidnapping



against the petitioner. The victim disclosed that she went herself along with the petitioner.

Considering the facts aforesaid, nature of allegation made against the petitioner and the fact that the victim herself denied the factum of her kidnapping, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 learned Additional Chief Judicial Magistrate-III, Saharsa in Nauhatta P. S. Case No. 163 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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