

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54415 of 2016

Arising Out of PS.Case No. -353 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA

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Anil Ram, S/o Shibu Ram, Resident of Village- Narayanpur, P.S.-
Kusheshwar Asthan, Dist- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kalyan Shankar, Advocate

For the Opposite Party : Mr. Rajendra Prasad Nat (APP)

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

3 30-01-2017 Supplementary affidavit has been filed on behalf of

the petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Laheriasarai P.S Case No. 353 of 2016 registered for the offences
punishable under Sections 363, 366A/34 of the Indian Penal Code.

Allegedly, the daughter of the informant aged about
13-14 years after taking ornaments went away with Amlesh
Kumar Ram and it is alleged that in this work the father of Amlesh
Kumar Ram has also co-operated. During investigation, the victim
girl was recovered and her statement has been recorded under
Section 164 of Cr.P.C. vide para 115 of the case diary wherein she



has stated that she was kidnapped by Amlesh Kumar Ram, Chandra Kishore Ram and Dhyani Ram and thereafter she was brought at the house of the sister of Amlesh Kumar Ram where four persons came namely Sony Devi, Nirmala Devi, Dhyani Ram and Ram Prasad Ram and they brought her at Saharsa forcibly and put vermilion and told to offer puja in temple and for that she was assaulted and further illegal act was committed against her forcibly.

Submission is of false implication and that the petitioner is neither named in the F.I.R. nor named in the statement recorded under Section 164 Cr.P.C., without any fault he is suffering in custody since 08.08.2016, he was arrested on 06.08.2016 and was kept in police custody and, as such, confessional statement if any is under threat and coercion. The age of the victim girl is about 18 years and she has willfully married with Amlesh Kuamr Ram which is apparent from the affidavit and photograph. The petitioner without any fault is suffering in custody and, as such, he deserves sympathetic consideration.

Learned A.P.P. fairly submits that the petitioner is neither named in the F.I.R. nor in the statement recorded under Section 164 Cr.P.C.

In the facts and circumstances stated above, the



petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga, in connection with Laheriasarai P.S. Case No. 353 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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