

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23299 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -SANDESH District- BHOJPUR

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1. Barak Yadav @ Saroj Kumar, Son of Sri Bajrangi Yadav, resident of Village- Bhagwatipur, Police Station- Udwant Nagar in the District of Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-06-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 20.10.2016 in connection with Sandesh P.S. Case No. 51/2016 for offences alleged under Sections 363, 366A, 120B/34 of the Indian Penal Code.

The prosecution case, as lodged by the victim's father, is that his daughter, aged 13 years, has been kidnapped by the petitioner along with three other accused persons.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case and the victim girl has been found to be 17-19 years in the medical report, although, the Magistrate has assessed



her age to be 13 years. It has further been submitted that the petitioner and the victim girl are husband and wife as the victim has sworn an affidavit that statement under Section 164 of the Cr.P.C. was taken under pressure by her parents. The affidavit to the said effect is Annexure-3 of this application.

However, learned APP for the State submits that the victim is a minor girl and has been kidnapped and found in the house of the petitioner, hence, opposes the prayer for bail.

Considering the facts aforesaid and materials on record, let petitioner, above named, 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 learned Additional Chief Judicial Magistrate IX, Ara, in connection with Sandesh P.S. Case No. 51/2016.

(Nilu Agrawal, J.)

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