IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53514 of 2017

Arising Out of PS. Case No. -99 Year- 2017 Thana -GARAUL District- VAISHALI (HAJIPUR)

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Dasai Rai, son of late Musafir Rai, resident of Village- Rampur Dumari, P.s.- Goraul (Katahara O.P), District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rajesh Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and State.

The petitioner apprehends his arrest in connection with Goraul (Katahara O.P) P.S. case no. 99 of 2017 for the offence under Sections 363 and 366(A) of the Indian Penal Code.

Counsel for the petitioner has drawn the attention of this Court to the statement of the victim girl recorded under section 164 of Cr.P.C., as contained in Annexure-2, where the girl has stated that she has joined the wedlock with one Bhikhari Rai at Hajipur Shiv Mandir on her own volition and sweet will.

From perusal of the F.I.R. it appears that the informant has alleged that this petitioner has assisted in the abduction of his niece Sulekha Kumari.

In view of the fact that the victim has stated in her statement before the Magistrate under Section 164 of Cr.P.C. that

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she has joined the wedlock at her own volition and sweet will and she has expressed her willingness to move to her Sasural and also considering the fact that the petitioner has no criminal antecedent, the petitioner, named above, in the event of arrest or surrender before the court below within one month from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Goraul (Katahara O.P) P.S. case no. 99 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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