

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55035 of 2016

Arising Out of PS.Case No. -129 Year- 2015 Thana -SARAI RANJAN District- SAMASTIPUR

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1. Ajay Kumar, Son of Choudhary Mahto, resident of Village- Mustafapur, P.S.- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Kumari, Wife of Lalchandra, resident of Village- Ajitganj, P.S.- Sarairanjan, District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh

For the State : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 06-02-2017

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in Sarairanjan P.S. Case No. 129 of 2015 instituted for the offence under Sections 376, 363, 379, 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is discrepancy in the statement of the victim girl recorded under Section 164 Cr.P.C as well as the allegation as made in the complaint petition which came to be registered as police case under Section 156(3) of the Cr.P.C.

In the written complaint petition, the complainant has stated that she was kidnapped while she has gone for call of nature. In the statement made under Section 164 Cr.P.C, the complainant stated that she was kidnapped by



the petitioner while she went for call of nature while staying in her matrimonial house.

Learned A.P.P has pointed out the statement of the victim girl has been recorded under Section 161 Cr.P.C in page 41 of the case diary wherein she has stated that she could not identify any of the accused persons. The petitioner is said to be in custody since 09.08.2016.

Considering the facts and circumstances of the case, let the petitioner, above named, be released 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 Judicial Magistrate, 1st Class, Samastipur connection with Sarairanjan P.S. Case No. 129 of 2015, subject to the conditions that both the bailors shall be the close relative of the petitioner.

Shageer/-

(Sanjay Priya, J)

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