

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18756 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -PIPRA District- EASTCHAMPARAN
(MOTIHARI)

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1. Ramsevak Prasad @ Ramsevak Bhagat, son of Indrajeet Prasad, resident of Village- Chakaniya, P.S.- Pipra, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 26-04-2017 Heard both sides.

The petitioner seeks bail in Pipra P.S. case No. 146 of 2016 under Section 363, 366 and 120B of the Indian Penal Code.

The informant alleged that petitioner and others kidnapped his sister on a Bolero jeep bearing registration No. BR06 PA 8054.

The learned counsel for the petitioner submits that informant is not an eye witness of the occurrence. The victim is a major girl and she made her statement under Section 164 of the Cr. P. C., after being released by the kidnappers. The victim disclosed that Mohan Prasad, Mahesh Paswan and Suresh Paswan,



on the pretext of illness of her husband, took her from her house and kidnapped her. They committed rape with her. The victim did not name the petitioner, Ramsevak Prasad @ Remsevak Bhagat in her statement under Section 164 of the Cr. P. C.

Considering the facts that victim herself is the best witness of her kidnapping and she has not named the petitioner and she made specific allegation against Mohan Prasad, Mahesh Paswan and Suresh Paswan, the above named petitioner 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 Chief Judicial Magistrate, East Champaran at Motihari in Pipra P.S. Case No. 146 of 2016.

(Prabhat Kumar Jha, J)

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