

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2732 of 2017

Arising Out of PS.Case No. -225 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

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Chaitu Sharma, son of Late Maheshwar Sharma, Resident of Village-
Kamalpur, P.S. Azamnagar, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Musowir, Advocate

For the Opposite Party : Smt Renu Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 31-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Azamnagar P.S. Case No. 225 of 2015, registered for the
offences punishable under Sections 366(A) and 120(B) of the
Indian Penal Code.

Allegedly, the daughter of the informant aged about
16 years was kidnapped by the petitioner and she had gone away
with cash of Rs. 50,000/- and ornaments valued at Rs. 64,000/-.
During investigation, the statement of the victim girl has been
recorded wherein she has stated her age 20 years and the learned
Magistrate has recorded her age 19 years and she has stated that
she went out of her own sweet will and performed marriage with
the petitioner.



Submission is of false implication and that no offence as alleged is made out in view of the statement recorded under Section 164 Cr.P.C. The victim girl is residing with the petitioner and she has given birth of a female child who is aged about 4 months and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that victim girl in her statement has not supported the allegation of kidnapping and it was a case of love affairs.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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, Katihar, District- Katihar, in connection with Azamnagar P.S. Case No. 225 of 2015, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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