

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13798 of 2017

Arising Out of PS.Case No. -51 Year- 2015 Thana -GAYA RAIL P.S. District- GAYA

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Santosh Kumar, Son of Shri Ram Naresh Prasad @ Singh, Resident of
Village Pitambarpur, Police Station Indripuri, District Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. Smt. Samdaiya Devi, Wife of Late Saryu Prasad, Resident of Village
Budh Paraiya, Tola – Koyari Bigha, P.S Paraiya, District Gaya

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Kumar Sharma, Advocate

For the Opposite Parties : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 21-06-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 366 of the
Indian Penal Code.

Sikandra Singh, the uncle of the petitioner had lodged
Dehri (Indrapuri) P.S. Case No. 480 of 2014, a case relating to
kidnapping of his daughter by unknown criminals. In that case,
during investigation, name of Rahul Kumar @ Rakesh Kumar son
of the present informant Samdaiya Devi transpired and charge-
sheet was submitted. Thereafter the present case has been lodged
with allegation that the petitioner induced the daughter-in-law of
the complainant to go with him with intent to marry with her. The



daughter-in-law of the informant has supported the aforesaid allegation in her statement under Section 164 Cr.P.C.

Submission of the petitioner is that just to pressurize in the earlier case, the present false case has been lodged.

Considering the background of allegation and the fact that the victim has already been recovered and nothing more than except abduction had taken place which is a bailable offence, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Railway Judicial Magistrate, Gaya/successor Court in connection with Rail Police Station Case No. 51 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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