

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72469 of 2018

Arising Out of PS. Case No.-143 Year-2016 Thana- BELAGANJ District- Gaya

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Pawan Kumar @ Bagda Son of Chhotan Das Resident of Village-Sheikhpura
Khurd P.S. Belaganj District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramashish

For the Opposite Party/s : Mr.Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-12-2018 The petitioner seeks bail in anticipation of his arrest in connection with Belaganj P.S. Case No. 143 of 2016 dated 19.05.2016 which was initially instituted for the offences under Sections 363, 365, 34 of the Indian Penal Code but later, cognizance has been taken under Section 366(A) of the Indian Penal Code as well.

The daughter of the informant who had gone to purchase clothes in the market, did not return for quite some time. On search by the informant, he learnt that the petitioner and others have abducted his daughter.

The Police after investigation, submitted charge-sheet against three of the accused persons whereas



petitioner and others were not sent up for trial as they were found innocent. However, learned Magistrate, differing with the Police report has taken cognizance against all the accused persons including the petitioner.

The learned counsel for the petitioner has submitted that the victim girl, on her recovery, has given her 164 Cr.P.C statement in which though she has disclosed her age to be sixteen years and has stated that she had fallen in love with one Santosh, a co-accused with whom she is now married, but her age has been assessed medically as nineteen years.

In any view of the matter, regard being had to the fact that the Police did not find anything against the petitioner and did not send him for trial in the first instance, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XI, Gaya in



connection with Belaganj P.S. Case No. 143 of 2016,
subject to the conditions laid down under Section 438(2) of
the Cr.P.C.

(Ashutosh Kumar, J)

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