

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63153 of 2017

Arising Out of PS.Case No. -295 Year- 2012 Thana -GARAUL District- VAISHALI(HAJIPUR)

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1. BALA SAHANI @ BALA LAKHINDRA SAHANI Son of Ram Babu
Sahni resident of village Harpur Mindi P.S. Tajpur, Distt. Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 01-02-2018 Heard the learned counsel for the petitioner and

learned APP for the State.

In this application, the petitioner apprehends his
arrest for the offences in connection with Goroul (Kathara) P.S.
Case No. 295 of 2012 punishable under Sections 366A/34 of the
Indian Penal Code.

Allegedly, Sanjila Kumari, aged 14 years, niece of
the informant became traceless and on search, it was learnt that
Neta Sahani has kidnapped her with the help of petitioner and
others.

Submission is of false submission and that during
investigation, the victim girl has been recovered. She has stated
that she was not kidnapped rather, she went out of her own sweet



will with Neta Sahani and she has performed marriage with him. Her parents have got no complain and her uncle has lodged this false case. She has stated her age 22 years on 01.04.2016. No offence under Section 366-A IPC is made out and, as such, the petitioner deserves sympathetic consideration.

Learned APP fairly submits that the victim has not supported the allegation of kidnapping.

Considering the facts and circumstances as stated above, the petitioner, in case of his surrender or arrest within four weeks from the date of receipt/production of a copy of this order shall be enlarged on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Learned Sub-divisional Judicial Magistrate, Vaishali, Hajipur in connection with Goroul (Kathara O.P.) P.S. Case No. 295 of 2012 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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