

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35588 of 2018

Arising Out of PS.Case No. -102 Year- 2013 Thana -MOTIPUR District- MUZAFFARPUR

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1. Sujeet Kumar @ Sujeet Bhagat, S/o Shivdayal Bhagat @ Shivdayal Prasad, Resident of Village- Pachrukhi, P.S.- Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.35870 of 2018

Arising Out of PS.Case No. -102 Year- 2013 Thana -MOTIPUR District- MUZAFFARPUR

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1. Bhuneshwar Bhagat S/o Raghubar Bhagat, resident of Village- Bazitpur (Pachrukhi), P.S.-Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.35588 of 2018)

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

(In Cr.Misc. No.35870 of 2018)

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2018 Both the bail petitions have been heard together and are being disposed of by a common order.

The petitioners seek bail in connection with Motipur P.S. Case No. 102/2013 dated 29.04.2013 instituted for the offences under Sections 363, 366A and 120B/34 of the Indian Penal Code.



The 17 year old daughter of the informant is alleged to have been kidnapped/abducted by the petitioners. The victim was taken to Ludhiana on train and there, she was kept in confinement.

The learned counsel for the petitioners has submitted that there was a relationship between the daughter of the informant (victim) and petitioner Sujeet Kumar @ Sujeet Bhagat and the victim had gone out of her house along with aforesaid Sujeet Kumar of her own volition. So far as petitioner Bhuneshwar Bhagat is concerned, the allegation in the F.I.R. is absolutely specific that after having facilitated the abduction of the victim, he came back home. In the 164 Cr.P.C. statement, the victim has admitted of her having a liaison with petitioner Sujeet Kumar @ Sujeet Bhagat. The victim was subjected to medical examination and her age was assessed to be between 16 to 17 years. In her statement before the police also, the victim has admitted of her being in love with petitioner Sujeet Kumar. It has further been submitted that the depiction of the age of the victim girl is incorrect.

The petitioners are in custody since 09.04.2018 and they do not have any criminal antecedent.

For the aforestated facts as also that the victim has returned, the petitioners above named are directed to be released on bail on their furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Sub Divisional Judicial Magistrate, West Muzaffarpur in
connection with Motipur P.S. Case No. 102/2013.

(Ashutosh Kumar, J.)

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