

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17577 of 2018

Arising Out of PS.Case No. -298 Year- 2017 Thana -DUMRA District- SITAMARHI

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1. Ramesh Kumar @ Ramesh Mahto Son of Hulash Mahto R/o Village-
Hariharpur, Dumra, P.S. Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 12-04-2018 Heard both sides.

The petitioner apprehends his arrest in Dumra P.S. Case
No.298/2017, registered under Sections 363 and 366/34 of the
Indian Penal Code.

The mother of the victim alleged that her daughter was
traceless. During course of search, she came to know that Ramesh
Mahto and his one friend took her daughter for illicit purpose. She
further alleged that other accused persons are also involved in the
kidnapping of her daughter.

Learned counsel for the petitioner submits that the
victim is a married woman. From perusal of statement of the
victim made under section 164 of the Cr.P.C., the victim herself
disclosed that the petitioner and others put handkerchief on her



mouth and she became unconscious but she got consciousness in Muzaffarpur. Thereafter co-accused Praveen Kumar took her to Surat, Gujrat and again forcibly established physical relationship with her. It is submitted that victim is major girl and she appears from perusal of the statement made under Section 164 of the Cr.P.C. to be a consenting party. She went all along with Gujrat but did not raise any voice of protest.

Considering the aforesaid facts, the petitioner above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged 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 C.J.M., Sitamarhi, in connection with Dumra P.S. Case No.298/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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