

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62032 of 2018

Arising Out of PS. Case No.-58 Year-2018 Thana- PATORI District- Samastipur

Rahul Kumar, Son of Arjun Pandit, Resident of Village- Sahpur Undi, P.S.-
Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Moleshwar

For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 12-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363 and 366A/34 of the IPC.

The prosecution case as per the written report of Yasmeen Bano submitted to the SHO, Patori Police Station is to the effect that the informant's daughter, namely, Afreen Bano alias Saba aged about fifteen and half years went to coaching on 5.3.2018 at 6 A.M. at Patori market where the petitioner forcefully abducted the daughter of the informant after giving her life threat. It is also alleged that co-accused Ritik Kumar and Deepak Kumar were also present there. The incident was witnessed by the informant's son who raised alarm,



thereafter, the accused persons started abusing and escaped from the scene.

It is submitted by learned counsel for the petitioner that the victim girl in her statement under Section 164 of Cr.P.C. denied the factum of kidnapping and has not named the petitioner. In the statement under Section 164 of Cr.P.C the victim girl got her aged recorded as 17 years and the Court also assessed her age as such. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent. Certified copy of the statement under Section 164 of Cr.P.C of the victim has been produced before this Court. Let it be kept on record.

Learned APP submits that the petitioner is named in the FIR.

Considering the fact that the victim girl has not named the petitioner in statement under Section 164 of Cr.P.C, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM IV, Samastipur in connection with Patori P.S. Case No.58 of 2018 subject to



the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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