

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10419 of 2018

Arising Out of PS.Case No. -105 Year- 2017 Thana -MEHANDIA District- JEHANABAD

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1. Dhananjay Kumar Son of Sharbhu Kahar @ Sharbhu Ram Resident of
Village- Rupaich, Police Station- Mehandia, District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 366/34 of the Indian Penal
Code.

Submission of the learned counsel for the petitioner
is that though the case was lodged by the father of the victim girl
under Section 366/34 of the Indian Penal Code against the
petitioner, the victim expressed her desire to be in her matrimonial
house and accordingly, the learned Court-below has released her
to go wherever she desires. Thereafter, she is living in her
matrimonial house as per statement under Section 164 Cr.P.C.

Learned counsel for the informant opposed the



prayer on the ground that the victim was a minor and her statement is immaterial.

Since the victim has not alleged her kidnapping by any one. Hence, her statement is relevant to prove or disprove any charge of kidnapping against the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mehandia P.S. Case No. 105 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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