

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39773 of 2018

Arising Out of PS. Case No.-30 Year-2018 Thana- PARAIYA District- Gaya

Ravi Kumar S/o Arbind Yadav, R/o Vill.- Kosdihra, P.S.- Paraiya, District- Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Adv.

For the Opposite Party : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-07-2018

Heard learned counsel for the petitioner and the State.

This is an application for regular bail in connection with Paraiya P.S. Case No.30 of 2018 registered for the offences punishable under Section 366 of the Indian Penal Code.

Informant is the father of the victim girl who in his written complaint has stated that her daughter Kusum Kumari, aged about 14 years, is a student of class IX and had left for her Mausi's residence on 02.03.2018 at about 5:00 A.M. in the morning but did not return till 5:00 P.M. in the evening and thereafter a hectic search was made to trace her but she could not be found and later on he received information that Ravi Kumar, petitioner had kidnapped her daughter to perform marriage with her. The girl and the boy were recovered from Gaya Railway Station while they were returning from Delhi. The girl was medically examined by the Medical Board but no sign of rape or any type of injury was found on the body of the girl and no dead or alive spermatozoa was found.

In her statement recorded under Section 164 Cr.P.C. she has stated that she was forcibly taken to Delhi by petitioner by train and he also established physical relation with her. Both petitioner and victim returned by train after they were contacted



and family members of both side were present on station when they arrived by train. The Medical Board has assessed the age of the girl to be 17/18 years and no sign of rape or any injury was found on the body of victim. Petitioner is also aged about 18 years and he is a school going student and resides in the same village of the victim girl. The girl in her statement has also stated that proposal for marriage was accepted by the boy, but she refused to marry him. Petitioner has got no criminal antecedent and he is in custody since 13.03.2018.

Considering the facts and circumstances of the case, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -IIIrd, Gaya in connection with Paraiya P.S. Case No.30 of 2018.

(S. Kumar, J)

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