

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73502 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- SAUR BAZAR District- Saharsa

Manoranjana Kumar @ Manoranjana Yadav Son of Kailash Yadav Resident of
Village-Chakala Ward No.16 Post Khajuraha, Police Station Sonbarsha
Raj, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Singh
For the Opposite Party/s : Mr.Sri Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code.

The prosecution case as per the written report of Arun Yadav dated 24.03.2018 submitted to the Station House Officer of Saur Bazar Police Station is to the effect that on 20.03.2018 at 7.00 P.M. the daughter of the informant, Rinki Kumari went to ease out when six accused persons including the petitioner abducted the daughter of the informant. On 21.03.2018 the informant went to the house of Kailash Yadav, where during the course of panchayati Kailash Yadav assured that the daughter of the informant will reach to the house till 24.03.2018 at 7.00 P.M.



and on same very day at 8.00 A.M. Kailash Yadav and his wife Asha Devi conveyed that they do not know the daughter of the informant.

It is submitted by learned counsel for the petitioner that in the statement recorded under Section 164 Cr.P.C. the victim got her age recorded as 19 years when the Court has assessed her age as 15 years, while Medical Board has found her age as 16 years. From 164 Cr.P.C. statement it appears that the victim and the petitioner went to Saharsa to visit a fair and she has not alleged anything against the petitioner. It is further submitted that as per the settled law, if two years is added in the age of the victim, she may be treated as major.

Learned APP submits that the victim is minor.

Considering the fact that the accusation of kidnapping has been denied by the victim in her statement recorded under Section 164 Cr.P.C., let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saur Bazar P.S. Case No. 169 of 2018, subject



to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

