

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19505 of 2019**

Arising Out of PS. Case No.-256 Year-2015 Thana- MANIYARI District- Muzaffarpur

RAKESH KUMAR @ RAKESH RAM S/O Kailash Ram Resident of Village
- Harpur Balra, P.S - Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr.Md. Mushtaque Alam

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 19-06-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Maniyari P.S.case No.256 of 2015 , registered for offences punishable under Sections 365, 366, 363/34 of the Indian Penal Code.

Allegation against the petitioner is of enticing the minor daughter of the informant away.

Submission of the learned counsel for the petitioner is that the FIR itself shows that the victim is married lady and her statement recorded under Section 164 Cr.P.C. discloses that she had gone on her own sweet-will as there was love affair between the parties.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, no doubt the victim appears to be minor but she is a married lady and her statement does not support the prosecution case, in such view of the matter, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sri Nayan Kumar, J.M. Ist Class (West), Muzaffarpur in connection with Maniyari P.S.Case No.256 of 2015, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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