

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34654 of 2019

Arising Out of PS. Case No.-199 Year-2018 Thana- BUXAR INDUSTRIAL District- Buxar

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YUVRAJ SINGH @ GOLU SINGH @ KALLU SINGH Son of Narendra
Singh Resident of Village- Majhariya, Police Station- Buxar (Industrial),
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parijat Saurav

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
17.01.2019 in a case registered for the offence punishable
under Section 366 of the Indian Penal Code.

The prosecution case got initiated on the basis of
written report of Sunaina Devi submitted before the Station
House Officer, Buxar (Industrial) Police Station is to the effect
that on 12.10.2018 at 1.00 A.M., the daughter of the informant
went to purchase some medicine and thereafter she got eloped,
leading to registration of FIR against unknown. Subsequently,
the victim got recorded her statement under Section 164 of the



Cr.P.C., wherein she has stated that she was forcefully taken by this petitioner to Dumraon and thereafter from Dumraon to Delhi and after a month, when he came to know from his family members about a case being lodged against him, he brought her back. The victim further stated that the petitioner wants to marry the victim.

It is submitted by learned counsel for the petitioner that the statement of the victim recorded under Section 164 of the Cr. P.C. suggests that the victim being a major went in the company of the petitioner on her own. Subsequently, the informant has retracted from his initial version and has filed a petition to that effect before the learned Court below, which has been brought on record as Annexure-3 to the petition. It is further submitted that the investigation has already been concluded and the chargesheet has been submitted.

Learned APP for the State submits that the accusation is specific against the petitioner and he is named in the FIR.

Considering the statement of the victim girl recorded under Section 164 of the Cr.P.C. which *prima facie* suggests elopement of two major with consent, let the above named petitioner be released on



bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Buxar Industrial P.S. Case No. 199 of 2018.

(Dinesh Kumar Singh, J)

Ashwini/-

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