

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38519 of 2019

Arising Out of PS. Case No.-367 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

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Raushan Kumar, Son of Jai Prakash Rai, Resident of Village- Chapahi, P.S.
Raj Nagar, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-10-2019 This is an application for grant of anticipatory bail in
connection with Sadar P. S. Case No. 367 of 2018, disclosing
offences under Sections 365, 366A, 34 of IPC and POCSO Act,

As per F.I.R. there is allegation against the petitioner
and other accused persons that they have kidnapped the minor
daughter of the informant.

Submission of the learned counsel for the petitioner is
that in her statement under Section 164 Cr.P.C. the victim girl
has not named this petitioner, rather she has stated that nobody
has taken her.

Heard learned A.P.P. as well as learned counsel for the
informant, they have submitted that the girl is minor and later
on, she has stated before the police that it is the petitioner who
has committed physical intercourse upon her and she became



pregnant.

Having heard both sides, in view of the statement of the victim girl recorded under Section 164 Cr.P.C. has not named this petitioner, later on, she named this petitioner, let the petitioner, above named, surrender before the court below within a period of two weeks from the date of receipt of certified copy of this order, on surrender, he will be released on bail to the satisfaction of the court below on condition that he has to co-operate in the trial and appear before the Trial Court as and when required, otherwise, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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