

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49969 of 2019

Arising Out of PS. Case No.-256 Year-2019 Thana- DANAPUR District- Patna

RAHISH KUMAR Son of Bindeshwar Paswan. Resident of Village -
Shahpur, Dusadh Toil, P.S.- Shahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 366A of the Indian Penal
Code.

The statement of the victim girl would reveal that
in the past also she had left her house with the petitioner and she
had married with the petitioner. Thereafter, she returned back to
her parents house. Again, petitioner allegedly kidnapped her.

Taking away his own wife is not an offence of
kidnapping. The victim has disclosed her age as 16 years.
Hence, offence of rape is also not made out.

Considering the facts aforesaid, let the petitioner,
above named, be released on bail on furnishing bail bond of



Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Danapur Police Station Case No.256 of 2019, subject to condition that *both the bailors shall be resident of the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.*

(Birendra Kumar, J)

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