

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57417 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- DEO District- Aurangabad

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RAUSHAN RAM Son of Kanhai Ram Resident of Village - Pachokhar, P.S.-
Deo, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Kumar Bhatnagar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 18-09-2019 Heard both sides.

The petitioner apprehends his arrest in Deo P.S. case
No. 41/ 2018 registered under Section 366(A) of the IPC.

The father of the victim alleged that petitioner and
others kidnapped his minor daughter but the victim in her
statement u/s 164 of the Cr. P. C. disclosed that she came to Deo
and thereafter came to Aurangabad. She called the petitioner and
both of them went to Motihari and solemnized marriage in a
temple.

The learned counsel for the petitioner submits that
the victim in her statement u/s 164 of the Cr. P. C. disclosed her
age to be 19 years. It is submitted that no ingredients of
kidnapping is made out. The victim is major and the police
submitted final form finding the case mistake of facts.



Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that the victim herself denied the factum of her kidnapping, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, POCSO, Aurangabad in connection with Deo P.S. case No. 41/ 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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