

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.808 of 2020

Arising Out of PS. Case No.-437 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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Rahul Kumar Yadav @ Rahul Kumar, aged about 20 years, Male, Son of Late Shabhu Yadav, Resident of Village - Chakka, P.S.- Manigachhi, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sadar P.S. Case No. 437 of 2019 corresponding C.R.I. No.2906 of 2019 registered for the offences punishable under Sections 366(A) and 34 of the Indian Penal Code.

The case of the prosecution in brief as delineated in the written report is that the victim Chameli Kumari, daughter of the informant aged about 14 years had gone to the house of her Mausi situated in the village Khartua, on the occasion of Durga Puja. On 09.10.2019, the daughter of the informant went out of the house in night in the village Khartua in order to attend the call of nature. Dharamsheela Devi also accompanied her.



Thereafter, the daughter of the informant did not return to her house after attending the call of nature. Dharamsheela Devi and her son made intensive search of the victim but she could not be traced out. The informant also after coming to know about the said occurrence, made serious efforts to search out his daughter but in vain. Later on the informant came to know that the petitioner along with other co-accused persons kidnapped his minor daughter and took her away by a four wheeler vehicle with intent to marry with her forcibly. On the basis of written report submitted by the informant, the police registered this case against the petitioner and other co-accused persons under Section 366(A)/34 I.P.C.

Learned counsel for the petitioner submits that the statement of the victim girl was recorded under Section 164 Cr.P.C. and in her statement, the victim stated that nobody had kidnapped her and she voluntarily solemnized her marriage with the petitioner. Th doctor examined the victim assessed her age in between 16 to 17 years.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Darbhanga in connection with Sadar P.S. Case No. 437 of 2019 corresponding C.R.I. No.2906 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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