

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.468 of 2020**

Arising Out of PS. Case No.-833 Year-2019 Thana- ALAMGANJ District- Patna

RAJA KUMAR @ VIKASH KUMAR @ RAJ KUMAR, Son of Jagdish Yadav, Resident of Alamganj Chauki, Kedar Nath Math, P.S.- Alamganj, District - Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gajanan Mishra, Adv.

For the Respondent/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER**

4 01-07-2020 Heard learned counsel for the appellant as well as learned Additional Public Prosecutor.

On account of disappearance of the victim aged about 14 years the informant shown suspicion against the petitioner.

As is evident from para 14 of the case diary, the I.O. was informed by his spy that both of them (victim as well as petitioner) in order to ditch the police are frequently changing their address. On the day of information their location was given and on the basis of which raid was conducted. Both of them were arrested. Statement of the victim under Section 161 of the Cr.P.C. is under para 32 of the case diary, while statement under Section 164 of the Cr.P.C. is under para 52 of the case diary. After going through the same, it is evident that the petitioner was insisting upon that she is not of marriageable age but, on



her insistence and in the background of their intimacy for the last so many years, they united.

The surprising feature over the conduct of the victim is, she was taken to Delhi by her brother-in-law (*Jija*) where she was about to marry and after coming to know about the same she slipped therefrom, came to Patna where all the events materialised. Furthermore, the appellant is under custody since 22.11.2019.

Consequent thereupon, after setting aside the order dated 19.12.2019 passed by the learned Special Judge, SC/ST Act, Patna in Special Case No.541 of 2019 arising out of Alamganj P.S. Case No.833 of 2019 the appellant, Raja Kumar @ Vikash Kumar @ Raj Kumar is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court (Special Judge, SC/ST Act, Patna) in the aforesaid special case.

Appeal is allwoed.

(Aditya Kumar Trivedi, J)

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