

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21839 of 2020

Arising Out of PS. Case No.-109 Year-2019 Thana- ISHIPUR District- Bhagalpur

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Niwash Kumar, aged about 30 years, male, Son of Gulabi Mandal, Resident of Village - Sonudih, P.S.- Sanhoulla, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 08-07-2020 Heard Mr. Ranjan Kumar Jha, learned counsel for the petitioner and Md. Aslam Ansari, learned APP for the State.

The petitioner seeks bail in connection with Ishipur Barahat P.S. Case No. 109 of 2019, dated 25.10.2019, instituted for the offences under Sections 363 and 366(A) of the Indian Penal Code.

The petitioner, who is the own son-in-law of the



informant, is alleged to have abducted the fifteen years old daughter of the informant.

Mr. Ranjan Kumar Jha, learned counsel for the petitioner has drawn the attention of this Court to the statement of the victim girl made under Section 161 Cr.P.C. in which she has stated that because of some dispute between her parents and herself about her marriage, she left her home in a huff and went to Gorakhpur where she was made to understand the implications of running away from the house by Saints. However, she, in her statement recorded under Section 164 Cr.P.C., has given a different story in which she has alleged that the petitioner forcibly took her to his house and later, her parents were informed about her stay with the petitioner.

It has been submitted on behalf of the petitioner that such statement has been made by the victim girl only after being tutored by her parents. The petitioner is not in the good books of his father-in-law and because of such dispute, at a belated stage, the petitioner has been made accused in this case. The victim girl even in her statement



recorded under Section 164 Cr.P.C. has not alleged any physical misdemeanor against her.

The petitioner is in custody since 02.12.2019.

Regard being had to the facts afore-stated, the petitioner above-named is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Bhagalpur in connection with Ishipur Barahat P.S. Case No. 109 of 2019.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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