

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72465 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- RAHUI District- Nalanda

=====

PRAKASH SAO @ PRAGASH SAO S/o Arjun Sao R/o village- Basak Saidi,
P.S.- Rahui, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Pancha Nand Pandit

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Rahui P.S. Case no. 160 of 2018, registered under Section
366(A)/34 of the Indian Penal Code.

The accusation is that in the evening of 12.05.2018
at 4.00 P.M., the daughter of informant, aged about 12 years,
had gone outside to attend call of nature, but she did not return
to the house. In course of search, informant came to know from
Bhola Manjhi and Gango Devi that prior to 10 days, his
daughter was seen with neighbour Prakash Sao (Petitioner) and
his father Arjun Sao and two others moving on main road.

Learned counsel for the petitioner submits that, in
fact, due to love affairs, the daughter of informant left her



house and performed marriage in the temple with the petitioner regarding which an affidavit was also sworn by the petitioner and the daughter of informant before the Public Notary on 02.06.2018, which would appear from Annexure-2, but on the pressure of the informant, the daughter of informant gave her statement under Section 164 of Cr.P.C. making allegation of kidnapping by and committed rape upon her, but, later on, after realizing the mistake, the informant and her daughter filed the compromise petition in the Court of C.J.M, Nalanda, Bihar Sharif on 15.01.2019.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui P.S. Case No. 160 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

