

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76470 of 2019

Arising Out of PS. Case No.-292 Year-2019 Thana- BHAGWAN BAZAR District- Saran

BHUSAN RAI Son of Sri Saheb Rai Resident of Village - Manpur Jahagir,
P.S. - Avtar Nagar, District - Saran at Chapra (Bihar).

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party State: Mr. R.B. Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 16-03-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Bhagwan Bazar P.S. Case No. 292 of 2019 registered for the offence punishable under Section 365 of the Indian Penal Code.

Allegedly, the victim, a minor, was kidnapped by the petitioner, who was subsequently persuaded by the family members of the petitioner to marry the petitioner. The date of occurrence has been described as morning of 1st July, 2019. The victim was recovered on 25.07.2019. It is alleged that, from the date of kidnapping, till the date the victim was recovered, she was taken to various places in train and by car. There is allegation also of having established physical relationship, forcibly.

Learned counsel appearing on behalf of the petitioner has submitted that he is in custody since 31.07.2019



and the narration of the prosecution case in the First Information Report is highly improbable, if the same is read with the statement of the victim, recorded under Section 164 of the Cr.P.C. He has submitted that it is highly improbable that the members of the family of the petitioner would persuade the victim to marry him and that the victim would not raise any voice while staying with the petitioner when she was being taken from one place to another as alleged by her.

Considering the facts and circumstances and submissions so advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saran at Chapra, in Bhagwan Bazar P.S. Case No. 292 of 2019.

(Chakradhari Sharan Singh, J)

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