

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28130 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- SITAMARHI District- Sitamarhi

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RAUSHAN KUMAR @ NAGMANI S/O Vikas Kumar Resident of Village -
Patel Tola, Ward No. -14, P.S. - Bairgania, Dist. - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Advocate
For the Opposite Party/s	:	Ms. Renuka Ratnakar, APP
For informant	:	Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 22-10-2021 Heard the parties.

Petitioner apprehends his arrest in a case registered for the offence punishable under Sections 363/366(A)/34 of the Indian Penal Code.

Informant who is father of the victim girl Apeksha has alleged that on 14.02.2020 at about 9:30 a.m., his minor daughter left her house for going to school but when she did not return till 1:00 p.m., he was thinking to contact the school, in the meanwhile, Mausi of his daughter came and told that her daughter was seen in the company of Raushan Kumar, Surbhi and Rahul Kumar Gupta on a tempo. He tried to contact Surbhai on her mobile but she did not respond. Thereafter, informant tried to make contact with father of Raushan Kumar

(petitioner), but he could not meet him. It was further alleged by informant that her minor daughter has been forcibly taken away by Roushan Kumar (petitioner), Surbhi Kumari and Rahul Kumar Gupta in connivance with their parents.

It is submitted that victim girl was recovered and her statement was recorded under Section 164 Cr.P.C. in which she has stated that petitioner gave her something to eat and thereafter she became unconscious and when she regained her consciousness, she found herself in Nepal where she was forced to do the work of purse packing and was not permitted to go outside, however, after four months, one day she managed to flee away and was apprehended by the police on Indo - Nepal border and was handed over to her parents.

It is submitted on behalf of petitioner that he is innocent and has love affair with the daughter of informant and she had willingly accompanied petitioner to Nepal and they were trapped there on account of lock down and could not return to India.

Notices were issued to informant and he has appeared through his counsel and has stated that he is not opposing the prayer for grant of bail to the petitioner as the matter has been amicably settled and a compromise petition has been filed

before the court below itself, which is annexed as Annexure 3.

In view of such statement made on behalf of the informant, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sitamarhi P.S. Case No.121 of 2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

Sanjay/-

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