

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2581 of 2021**

Arising Out of PS. Case No.-9 Year-2021 Thana- KATORIYA District- Banka

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GUNJAN SINGH Son of Anil Singh Resident of Village - Kurawa, P.S.-
Katoria, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Brij Nandad Prasad, Advocate
For the Respondent/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-06-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal has been filed for setting aside the order dated 25-02-2020 passed by learned A.D.J.-I Banka in GR No. 4/2021/ Katoria Police Station Case No. 09 of 2021, registered for the offence punishable under Section 366A/34 of the Indian Penal Code, Sections 3(1)(r)(s), 3(2)(v) of SC/ST Act, whereby the prayer for bail of appellant was rejected.

As per the prosecution case, appellant is alleged to have kidnapped informant's 16 years old daughter.

It is submitted on behalf of appellant that though appellant is named in the FIR but in statement recorded under Section 164 Cr.P.C., the victim has stated that out of her own sweet will she had gone with the appellant.



However, learned Special P.P. has opposed the appeal and submitted that the age of the victim has been assessed as 15 years by the court.

Considering the rival submissions of the parties, materials available on the record and the fact that the informant's daughter has been found to be minor and there is direct allegation of kidnapping the victim, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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