

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36792 of 2020

Arising Out of PS. Case No.-619 Year-2018 Thana- BHAIROGANJ District- West
Champaran

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GAUTAM RAM @ GAUDAM RAM SON OF THAKUR RAM RESIDENT
OF - VILLAGE BARWA SANI P.S. BAGAHA BHAIROGANJ, DISTRICT-
WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-04-2021 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Bagaha (Bhairoganj) PS case No. 619/2018 registered under Section 366A/34 of the IPC.

The informant alleged that her daughter had gone to study in the school but she did not return. During the course of search, it transpired that Gautam Ram, the petitioner, with the help of other accused persons kidnapped her daughter.

The learned counsel for the petitioner submits that police after investigation submitted final form finding the accusation false but the learned court below took cognizance. The victim also disclosed in her statement u/s 164 of the Cr.P.C that Gautam Ram did not kidnap her rather she went along with him out of her free will. The doctor also assessed the age of the victim between 17-19 years. The victim was on the verge of



majority on the date of occurrence and on this ground the anticipatory bail petition of the petitioner has been rejected but it appears that victim herself denied the factum of her kidnapping by the petitioner. The victim disclosed that she voluntarily, out of her free will, went along with the petitioner.

Taking into consideration the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bagaha, West Champaran, Bettiah in connection with Bagaha (Bhairoganj) P.S. case No. 619/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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