

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2738 of 2021

Arising Out of PS. Case No.-84 Year-2020 Thana- NAANPUR District- Sitamarhi

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Mukesh Rai, aged about 22 years, male, S/o Naresh Rai, R/o village- Rajo,
P.S.- Singhwara, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 24-08-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his
arrest in connection with Nanpur P.S. Case No. 84 of 2020,
instituted for the offences under Sections 363, 366(A) and
34 of the Indian Penal Code.

The accusation against the petitioner and another
is of abducting the minor daughter of the informant.

The daughter of the informant has since been



recovered and has made her statement under Section 164 Cr.P.C., stating that she has married the petitioner of her own choice. The victim has claimed that she is a major.

It has been submitted on behalf of the petitioner that the victim in her statement under Section 164 Cr.P.C. has disclosed her age to be nineteen years, whereas the learned Magistrate has assessed her age to be eighteen years. The medical examination report of the victim also does not disclose any sexual assault on her.

Regard being had to the facts afore-stated and taking into account that even in the AADHAR Card, the victim has attained the age of majority, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri, Sitamarhi in connection with Nanpur P.S. Case No. 84 of 2020, subject to the conditions laid down under Section 438(2) of the



Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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