

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 63745 of 2021

Arising Out of PS. Case No.-218 Year-2021 Thana- BANIAPUR District- Saran

RAKESH KUMAR PAL Son of Ishwar Pal Resident of Village- Kamta Tola,
Pakwaliya, P.O.- Kamta, P.S.- Baniyapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 366A of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that his 15 year old minor daughter disappeared. He states that he apprehends that she has been kidnapped for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the FIR was registered after an unexplained delay of 9 days against unknown. The name of the petitioner transpired in course of investigation. The daughter of the informant returned and she was medically examined wherein her age was assessed to be between 18-20 years. Further in her statement under



section 164 Cr.P.C. (Annexure-2) she has categorically stated therein that she was not kidnapped, she went out of her own volition and married the petitioner herein. The petitioner is in custody since 6.7.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the age of the daughter of the informant assessed in the medical examination together with the contents of the statement under section 164 Cr.P.C. of the daughter of the informant, the petitioner is directed to be enlarged on bail in connection with Baniyapur P.S. Case no. 218 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra.

(Partha Sarthy, J)

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