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or abducted with the
same



**ASSIGN
BUSTER**

The section is attracted when there is wrongful concealment or confinement of a victim with the knowledge that the victim has been kidnapped or abducted. The punishment of the offender under this section shall be in the same manner as if the victim had been kidnapped or abducted with the same intention or knowledge or for the same purpose as that with or for which the offender conceals or detains the victim in confinement. The section fixes liability on a person who assists in concealing or confining a kidnapped or abducted person; it does not apply to the kidnapper or the abductor himself. Where there is no knowledge on the part of the accused that the victim had been kidnapped or abducted, this section is not attracted.

Where the second accused stole a new born child from a hospital, and the child was found eventually in the room of the first accused lying beside her on a bed, and the second accused was also in the same room at that time, it was held that the first accused had rightly been convicted under this section. Where the complicity of the accused in selling the wife of the co-accused was established by evidence, and the buyer committed rape on her and killed her, it was held that the accused was guilty under this section. The offence under this section is cognizable, non-bailable and non-compoundable, and is triable by the court by which the kidnapping or abduction is triable.