

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12729 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -BRAHMPUR District- BUXAR

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Shankar Kamkar @ Shankar Kharwar@shankar kumar Son of Sri Dadan
Kamkar@ Dadan Kharwar

.... Petitioner/s

Versus

State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner is languishing in custody since
27.09.2014 in a case registered for the offences punishable under
sections 363/367A/120B of the Indian Penal Code.

The prosecution case is that on 17.09.2014 about
01:00 pm the grand-daughter of the informant Gita Kumari went
to her friend's house namely Rekha Kumari and, thereafter, she
went traceless. Subsequently, it was found that she had love
affair with this petitioner and who used to talk with this
petitioner through mobile which was detected by sister of the
victim namely Asha Kumari. The victim is still traceless.

It is submitted by learned Sr. Counsel for the
petitioner that for the occurrence of 17.09.2014 the FIR was

registered on 26.09.2014, though the petitioner was named in the FIR. From the materials collected during investigation and the petition filed by the informant before the learned court below, it is apparent that the petitioner, on the alleged date of occurrence, was at his place of employment in Hariyana. During investigation, the investigating agency has found that on 08.09.2014, 17.09.2014 and 18.09.2014, the petitioner and victim talked through mobile.

Learned APP for the State, after going through the case diary has submitted that neither identity of the mobile of the petitioner has been ascertained whether it was registered in his name nor his voice verification has been made. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the nature of accusation, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No.253 of 2014.

(Dinesh Kumar Singh, J)

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