

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21085 of 2015

Arising Out of PS.Case No. -50 Year- 2014 Thana -SONBERSA District- SAHARSA
=====

Hari Shankar Kumar son of Bijendra Yadav resident of village - Sahmoura,
P.S. - Sonbarsa, District - Saharsa.

..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s
=====

Appearance :
For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Binod Kumar 3 (App)
=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is facing accusation punishable under section 364-A/34 IPC and is in custody since 26.03.2015 in connection with Sonbarsa P.S. Case No. 50 of 2014. The occurrence is said to have been committed on 08.03.2014 for which information was lodged by the father of the victim on 13.03.2014 alleging that the petitioner and his uncle kidnapped his minor daughter. The girl was recovered and her statement under section 164 Cr. P.C. was recorded on 15.03.2014 in which she has stated that on her own she went with the petitioner who took her along to different places and thereafter left her near Saharsa bus-stand.

Counsel for the petitioner states that the Magistrate found

the victim 16 years of age, whereas the doctor assessed her age between 16 to 17 years. Prima facie, it appears that the girl has attained the age of discretion/understanding and there is no allegation of commission of rape on her.

Considering the above, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction CJM, Saharsa in Sonbarsa P.S. Case No. 50 of 2014 on condition that one of the bailors shall be own/close family member of the petitioner. As soon as the charges are framed, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.

(Kishore Kumar Mandal, J)

HR/-

U		T	
---	--	---	--