

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28783 of 2015**

Arising Out of PS.Case No. -78 Year- 2014 Thana -BELCHAR District-  
WESTCHAMPARAN(BETTIAH)

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1. Jahur Mian S/o Dadhu Mian Resident of Village - Aryanagar, P.S. -  
Balthar, District - West Champaran..... .... Petitioner/s

Versus

1. The State of Bihar. .... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Rita Verma (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

3      29-10-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Balthar P.S. Case  
No. 78 of 2014 registered for the offences punishable under  
Sections 366A/34 of the Indian Penal Code.

Allegedly, the petitioner and another co-accused  
kidnapped the minor daughter of the informant but were caught by  
the informant and his associates near Gokhula Station. It is also  
alleged that two months ago they have kidnapped his daughter but  
after search he has brought her from village Kharharwan, P.S.-  
Kolhi, U. P.

Submission is of false implication and that the victim has  
given her statement under Section 164 Cr.P.C. wherein she has not  
stated regarding any misbehavior with her. As a matter of fact, the

victim has love affairs with the petitioner and in this case co-accused Sheshnath Yadav has already been allowed bail vide order dated 23.04.2015 passed in Cr. Misc. No. 4488 of 2015 by another co-ordinate Bench of this Court, the petitioner is suffering in custody since 28.11.2014 and the age of the victim has been found to be 19 years by the doctor.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Balthar P.S. Case No. 78 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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