

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.557 of 2015

Arising Out of PS.Case No. -49 Year- 2012 Thana -BUDDHACOLONY District- PATNA

1. Manish Kumar Son of Lakshman Ram Resident of North Mandri (Behind Dwarika High School) P.S-Buddha Colony, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Deo Singh, Adv.

For the Opposite Party/s : Mr. Abhay Kr. Roy, APP

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL ORDER

5 24-06-2015 Pursuant to the order of this Court a report has been submitted by the Senior Superintendent of Police, Patna and is accepted.

Heard learned counsel for the parties.

The petitioner is in custody in connection with Buddha Colony P.S. Case No. 49 of 2012 (arising from complaint case No. 783 of 2012) G.R. 1656 of 2012 and Sessions Trial No. 1039 of 2012 for the offences punishable under Sections 363, 366A, 120B of the Indian Penal Code.

The allegation against the petitioner is of abducting the minor daughter of the informant. It is in consideration of the nature of the allegation that the prayer of the petitioner was earlier rejected vide order passed on 30.9.2012 in Cr.Misc.No.24795 of 2013 and has been renewed through the present application.



Learned counsel for the petitioner with reference to the statement of the informant recorded during the course of evidence as well as the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure has submitted that it is an admitted position that the victim daughter of the informant is peacefully residing with the other accused namely Ajit Kumar and a daughter has also been born from the wedlock.

Having heard learned counsel for the parties and taking note of the circumstances, let the petitioner namely, Manish Kumar be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Sessions Judge, F.T.C.III, Patna in connection with Buddha Colony P.S. Case No. 49 of 2012 (arising out of Complaint case No. 783 of 2012), G.R. No. 1656 of 2012, Sessions Trial No. 1039 of 2012 subject to the condition that he shall ensure his presence on each and every date fixed in the trial and if the petitioner fails to register his appearance on two consecutive dates without reasonable explanation to the satisfaction of the trial court, the trial court shall be at liberty to cancel his bail bonds and to take him into custody.

(Jyoti Saran, J)

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