

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31640 of 2015**

Arising Out of PS.Case No. -33 Year- 2014 Thana -BARARI District- KATIHAR

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1. Kishan Murmu @ Kishun Murmu S/o Rupan Murmu @ Rupan Mahaldar  
Resident of Village Gunjra, P.S. Barari, District Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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

3      04-11-2015                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner seeks bail in connection with Barari  
P.S. Case No. 33 of 2014 registered for the offence punishable  
under Sections 363, 120B of the Indian Penal Code.

Allegedly, Munni Kumari the daughter of the  
complainant/informant went to Kirana Shop on 18.08.2013, the  
petitioner and other co-accused met with her and thereafter, she  
became traceless. During course of investigation she was  
recovered and her statement has been recorded under Section 164  
Cr.P.C.

Submission is of false implication and that the victim  
went to Delhi in search of work and the petitioner helped him. She  
has not stated regarding any sexual harassment against her and the

petitioner is suffering in custody since 07.01.2015 having no criminal antecedent. Other co-accused Anupam Mahaldar and others have been allowed bail vide Cr. Misc. No. 7465 of 2015.

Learned APP opposes the prayer of bail by submitting that in the statement recorded under Section 164 Cr.P.C. there is allegation against the petitioner. In reply learned counsel for the petitioner submits that chargesheet has already been submitted and as such there is no chance of tampering with prosecution evidence.

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 Sri Sunil Kumar IIIrd J. M. Ist Class, Katihar in connection with Barari P.S. Case No. 33 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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