

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.54181 of 2015**

Arising Out of PS.Case No. -138 Year- 2015 Thana -MANIHARI District- KATIHAR

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Om Prakash Sah @ Bhuttu Sah Son of Madan Mohan Sah

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

**ORAL ORDER**

2 30-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

The accusation is of kidnapping the minor daughter of the informant. In 164 Cr.P.C. statement the victim has got her age recorded as 15 years when the learned court below assessed her age as 16 years wherein she stated that she was kidnapped by co-accused Munna Sah and Nago Sah. Though, subsequently, she performed marriage with co-accused Munna Sah.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against co-accused Munna Sah

and a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute ground for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Manihari P.S. Case No.138 of 2015, pending before the learned Judicial Magistrate, 1st Class, Katihar.

With the above observation, this application is, accordingly, disposed off.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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