

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14976 of 2015

Arising Out of PS.Case No. -256 Year- 2014 Thana -MEERGANJ District- GOPALGANJ

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Shamshad Mian @ Shamshad Khan son of Ayub Mian @ Ayub Khan
Resident of Village - Parewa, Police Station - Raxaul, District - East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

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

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

02/ 08-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
12.12.2014 in a case registered for the offences punishable under
Sections 366A/34 and 120B of the Indian Penal Code.

The accusation is of kidnapping the daughter
of the informant on 20.08.2014.

Earlier also Mirganj P.S. Case No. 14 of
2014 was registered under Sections 366A/34 of the IPC when it
was alleged that the petitioner kidnapped the daughter of the
informant Rinki Kumari. In the said case the victim's 164 Cr.P.C.
statement was recorded where she got her age recorded as 17 years
when the court has assessed as such where she stated that she of

her own married with the petitioner. In the earlier case the petitioner was granted bail on 01.12.2014 vide Cr. Misc. No. 42857 of 2014 by a Co-ordinate Bench of this Court. In the present case the petitioner has not been named but his name sprang up during investigation. Admittedly the petitioner was in custody when second time victim went missing on 20.08.2014. The petitioner is still in custody.

It is submitted by learned counsel for the informant that during investigation the complicity of the petitioner has transpired.

Considering the fact that second time the victim went missing when the petitioner was in custody in earlier case and victim admitted that she has already married with the petitioner, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 256 of 2014.

(Dinesh Kumar Singh, J)

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