

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50129 of 2015

Arising Out of PS.Case No. -331 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

Abhay Kumar Gautam son of Bindu Mahton Resident of Village - Teliya
Pokhar, P.S. Nagar (Ratanpur), District - Begusarai. Petitioner/s

Versus

The State of Bihar.

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. P.N.Pandit (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 15-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Begusarai
Town (Ratanpur) P.S. Case No. 331 of 2015 for the offences
punishable under Sections 363, 366A/34, 120(B) of the Indian
Penal Code.

Allegedly, Pinki Kumar aged about 15 years, the
minor sister of the informant was kidnapped by the petitioner and
other co-accused with an intention to marry her with the petitioner.

Submission is of false implication and that victim has
not stated regarding any sexual assault committed against her by
the petitioner and petitioner is suffering in custody since

15.07.2015. Charge sheet has already been submitted and there is no chance of tempering with prosecution evidence.

Learned APP opposes the prayer of bail by submitting that the victim is minor.

In the facts and circumstances stated above, considering that victim has not alleged regarding any sexual assault committing against her and as such the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai arising out of Begusarai Town (Ratanpur) P.S. Case No.331 of 2015 subject to the conditions that one of the bailors must be 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.

Rajiv/-

(Jitendra Mohan Sharma, J)

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