

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30585 of 2014

Arising Out of PS.Case No. -72 Year- 2014 Thana -TEKARI District- GAYA

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1. Chhotu Kumar @ Subhash Kumar S/o Kapildev Singh Resident of
Village-Lav, P.S.-Tekari, District-Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

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

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

2 28-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Tekari P.S. Case No. 72 of 2014 registered for the offences
punishable under Sections 366A, 120B of the Indian Penal Code.

Allegedly, the minor daughter of the informant became
traceless and it has been alleged that the petitioner and others have
kidnapped her. During investigation victim girl appeared and
recorded her statement under Section 164 Cr.P.C. wherein though
she has supported the factum of kidnapping by the petitioner with
his friend but nothing has alleged regarding any illegal act.

Submission is that the occurrence is of 5.3.2014 and
FIR has been lodged on 19.3.2014 and thereafter, the statement of

the victim girl has been recorded on 24.3.2014. It has been submitted that it appears not reliable that without consent the petitioner took away the victim girl to Ahmadabad.

Learned APP opposes the prayer of pre-arrest bail.

Considering the entirety of the case and noticing that the victim girl has not alleged regarding any illegal act being committed upon her, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall 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 Kumar Gunjan, J. M. Ist Class, Gaya in connection with Tekari P.S. Case No. 72 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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