

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39445 of 2015

Arising out of PS.Case No. -428 Year- 2014 Thana -KAHALGAON District- BHAGALPUR

Suman Kumar Das @ Shashi Shekhar Suman, Son of Lal Bahadur Ram (Das), resident of village - Ekchari Diyara, P.S. Ekchari, District - Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Indeshwari Prasad Mandal, Advocate.

For the Opposite Party : Mr. Narendra Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is apprehending his arrest in connection with Kahalgaon P.S. Case No. 428 of 2014 for the offences instituted under Section 366(A) of the IPC. Later on, Section 363 of the IPC was also added.

The prosecution story, in brief, is that on search, the informant came to know that the petitioner with the help of his parents kidnapped by the daughter of the informant.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in the present case due

to mistake of fact. From perusal of 164 Cr. P. C. statement of the victim, it appears that the victim on her own will had left with the petitioner and has already married with him. The 164 Cr. P.C. statement of the victim is Annexure-3 to the present application.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Kahalgaon P.S. Case No. 428/2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)