

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43994 of 2014

Arising Out of PS.Case No. -635 Year- 2013 Thana -SAKRA District- MUZAFFARPUR

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1. Sonu Das Son of Sri Shankar Das Resident of village- Mohammadpur
(Damodar), P.S.- Sakra, District- Muzaffarpur.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nalin Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 16-02-2015

Heard learned counsel for the petitioner and learned

counsel representing the State.

Petitioner seeks bail in connection with Sakra P.S.

Case No. 635 of 2013 registered for the offences punishable under

Sections 363 and 366A of the Indian Penal Code.

Allegedly, the daughter of the informant was kidnapped and the petitioner is also named as one of the accused.

Submission is that the victim girl has been recovered and she has stated her age to be 20 years in her statement recorded under Section 164 Cr.P.C. and the learned Magistrate has recorded her age as 16 years. She further stated that she was in love with Sanjeet Das and the petitioner only helped him to bring her at the house of Sanjeet Das, thereafter, she went with Sanjeet Das at Delhi where she married with him and further she has got two months child from that wedlock. She has further stated that she has not been kidnapped by any one. The doctor has

also assessed her age to be 17-18 years.

Learned APP submits that in the case diary received up to paragraph 45 of the case diary there is no statement of the victim but chargesheet has already been submitted against the petitioner.

In the facts and circumstances stated above and considering the fact that the petitioner has got limited role in the alleged kidnapping and in this case chargesheet has already been submitted and there is no chance of tempering with the prosecution evidence, the petitioner above named is directed to 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Sakra P.S. Case No. 635 of 2013, subject to the conditions that one of the bailors must be a 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.

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(Jitendra Mohan Sharma, J)

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