

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48139 of 2015

Arising Out of PS.Case No. -453 Year- 2015 Thana -SAHARSA District- SAHARSA

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Shambhu Das, son of Late Chhitan Das, Resident of village- Nariyar, P.S.
Saharsa, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 09-11-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No.453 of 2015/G.R. No.1598 of 2015 registered
under Sections 363/366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping the maternal grand
daughter of the informant by the petitioner and another co-accused
with an intention to perform the marriage.

Learned counsel appearing on behalf of the petitioner
submits that, in fact, the victim moved with the petitioner
according to her own sweet will and the victim has not made any
allegation against the petitioner, which would appear from the

statement of the victim recorded under Section 164 of the Cr.P.C. (Annexure '2' to the application). Moreover, on medical examination, the age of the victim has been assessed to be 17 to 19 years. Further submission is that the petitioner having no criminal antecedent is in custody since 05.07.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No.453 of 2015/G.R. No.1598 of 2015. Out of the two sureties, one surety must be close relative of the petitioner, who will file an affidavit giving full genealogy as to how he/she is related with the petitioner.

(Rajendra Kumar Mishra, J)

P.S./-

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