

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53581 of 2015

Arising Out of PS.Case No. -189 Year- 2015 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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1. Khushuk Lal Poddar @ Radheshyam Poddar S/o Rajniti Poddar resident
of village- Bankipur, P.S.- Warisnagar, Distt- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Subash Chandra Mishra(App)

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

5 30-03-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 366 (A)/34 of the I.P.C

Allegedly, the petitioner and other FIR named accused
persons took away Annapurna Kumari, the daughter of the
informant, either with the purpose to marry with her or to sell her.

Submission is of false implication and that the
statement of the victim girl has been recorded under section 164 of
the Cr.P.C. wherein she has given her age 19 years and has stated
that she went with Krishna Mohan Poddar out of her own sweet
will and performed marriage with him, she further states that she

is living happily with Krishna Mohan Poddar and at present she is pregnant, whereas, her parents are torturing her and as such the petitioner who is suffering in custody since 16.09.2015 deserves sympathetic consideration.

The learned A.P.P. after going through the statement of the victim girl annexed with the supplementary affidavit fairly submits that the victim has not supported the allegation of kidnapping.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Darbhanga in L.N.M.U P.S. Case No. 189 of 2015, 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.

(Jitendra Mohan Sharma, J)

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