

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56390 of 2015

Arising Out of PS.Case No. -93 Year- 2015 Thana -SHIWAPATHI District- MUZAFFARPUR

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Pappu Sah, Son of Asharfi Sah, resident of village- Ram Nagar, P.S.-
Sivaipatti District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh, Advocate
For the Opposite Party/s : Mr. Smt. Indu Bala Pandey (App)

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

3 12-02-2016 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 Indian Penal Code.

Allegedly, Rekha Kumari aged 15 years, the daughter
of the informant went to attend the call of the nature and after
enquiry, it revealed that from the auto of the petitioner, the
petitioner and co-accused Ranjeet Kuamr have kidnapped her,
during investigation, the victim girl was recovered and her
statement was recorded under Section 164 of the Cr.P.C. wherein
she has supported the allegation of kidnapping by the petitioner
and co-accused Ranjeet.

Submission is of false implication and that the victim

girl and Ranjeet were having love affairs and they have hired the tempo of the petitioner and on his tempo both went. In the statement under Section 164 Cr.P.C., the victim girl has not stated regarding any sexual assault or harassment and has clearly stated that Ranjeet was willing to marry with her and as such the petitioner, who is suffering in custody since 30.8.2015, deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances stated above, 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 Mrs. Anju Singh, Sub-Judge, IXth Cum A.C.J.M. at Muzaffarpur in connection with Sivaipatti P.S. Case No.93 of 2015, subject to the conditions that one of the bailors must be 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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