

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25440 of 2016

Arising out of PS.Case No. -804 Year- 2015 Thana -PHULWARI District- PATNA

Aditya Mochi @ Ajeet Mochi, Son of Akhilesh Mochi@Chandil Mochi,
resident of Korra , P.S. Janipur (Phulwarisharif) District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Uday Prasad, Advocate.

For the Opposite Party : Mr. Sri Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is languishing in custody since 02.12.2015
in connection with Sessions Trial No. 320 of 2016 (arising out of
Phulwarisharif (Janipur) P.S. Case No. 804 of 2015 for the
offences instituted under Sections 366 and 366(A)/34 of the IPC.

The accusation is of kidnapping the minor daughter of
the informant by the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 02.12.2015 and the charge sheet has
been submitted in the present case. There is no allegation of
tampering of the witnesses alleged against the petitioner. He has
got no criminal antecedent. He has falsely been implicated in the

present case. There was an admitted love affair between the petitioner and the victim. From perusal of Annexure-3, it is evident that they had already married prior to the date of the alleged occurrence. In 164 Cr. P.C. statement of the victim there is no allegation of physical abuse or assault alleged against the petitioner.

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 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Patna, in connection with Sessions Trial No. 320 of 2016 (arising out of Phulwarisharif (Janipur) P.S. Case No. 804 of 2015).

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(Sudhir Singh, J)