

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48403 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -KHODAWANPUR District- BEGUSARAI
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Indu Devi Wife of Shri Kapildeo Singh Resident of Village & Post-
Lakhanpatti, P.S.-Khodawandpur (Chhourahi O.P.), District-Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 26-11-2016 Heard Mr. Arun Kumar for the petitioner and Mr.

Raman, APP for the State.

The petitioner prays for bail in Khodawandpur
(Chhourahi O.P.) P.S. Case No. 92 of 2016 registered under
sections 363 and 365 IPC.

The allegation is that the petitioner being an
acquaintance of the informant, kidnapped his five-year-old
daughter and carried on a motorcycle driven by her son. On
arrest, she made a confessional statement which led to recovery of
the victim girl from a temple precinct.

The contention of the petitioner is that the recovery was
not made from the house of the petitioner. The petitioner has clean
antecedents and is in custody since 17.08.2016. The allegation is
specific against her son Mithilesh Kumar who kidnapped the

victim girl.

Learned APP opposed the prayer and contended that the victim in her statement made under section 164 Cr. P.C. has named the petitioner as one of the accuseds who kidnapped and confined the victim girl.

Considering the facts and circumstances of the case, this Court, for the present, is not inclined to extend the petitioner the privilege of bail. Prayer is accordingly rejected.

However, it is observed if the trial does not record adequate/sufficient progress/headway within six months from the date of receipt/production of a copy of this order, the petitioner shall have liberty to renew his prayer for bail in the court below itself which shall be considered and disposed of on its own merit in accordance with law.

(Kishore Kumar Mandal, J)

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