

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37897 of 2016

Arising Out of PS.Case No. -450 Year- 2015 Thana -BARAUNI District- BEGUSARAI

Nepali Jha, Son of Late Tuntun Jha, resident of village - Simaria Ghat, P.S. Barauni (Chakia O.P.), District Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ajit Kumar, Advocate

For the Opposite Party : Mr. Sunil Kumar Pandey, (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioner and the learned counsel representing the State.

The petitioner seeks bail in connection with Barauni (Chakia O.P.) P.S Case No. 450 of 2015 registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

Allegedly, the daughter of the informant became traceless and it is alleged that the petitioner, his father and mother have taken away her. During investigation, the statement of the victim has been recorded under section 164 of the Cr.P.C. wherein she has stated regarding her kidnapping but has not stated any overt act committed against her and has stated that the mother of the petitioner brought her to her house in the evening.

Submission is of false implication and that the

informant after realizing the truth has filed a compromise petition wherein victim has also signed and, as such, the petitioner deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Barauni (Chakia O.P.) P.S. Case No. 450 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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