

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41956 of 2016

Arising Out of PS.Case No. -182 Year- 2016 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Krishna Prasad, Son of Sri Anil Yadav, Resident of Village- Cheran, P.O.
& P.S.- Harnaut, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Zainul Abedin

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

ORAL ORDER

2 18-10-2016 Supplementary affidavit has been filed on behalf of

the petitioner annexing the copy of statement of the victim girl
recorded under Section 164 Cr.P.C.

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Harnaut
P.S. Case No. 182 of 2016 registered for the offences punishable
under Sections 363 and 366(A) of the Indian Penal Code.

Allegedly, the petitioner and other F.I.R., named
accused persons were seen taking away the minor daughter of the
informant in Bolero vehicle. During investigation the victim girl
has given her statement under Section 164 Cr.P.C. wherein she has

stated her age about 19 years and further she has stated that she has married with Ajit Kumar out of her own sweet will and she has gone with him out of her own sweet will and she was never kidnapped. The petitioner is the elder brother of Ajit Kumar.

Submission is of false implication and that the victim girl being major went out of her own sweet will with Ajit Kumar and both performed marriage. The petitioner has got no concern with the alleged occurrence, the victim girl has not stated the name of the petitioner and Pramila Devi, the mother of the petitioner, has been allowed pre arrest bail vide order dated passed in Criminal Misc. No. 40120 of 2016 by another co-ordinate Bench of this court and as such petitioner also deserves sympathetic consideration.

Learned A.P.P. fairly submits that the victim in her statement has not supported the prosecution version.

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 the like amount each to the satisfaction of the Learned C.J.M., Nalanda in connection with Harnaut P.S. Case No. 182 of 2016 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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