

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42666 of 2016

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Aniket Kumar, Son of Sudhir Kumar, Resident of Village- Dativana, P.S.
Bikram, District- Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Advocate
Mr. Radhe Shyam, Advocate
For the State : Mr. Iftexhar Mahmood, A.P.P.
For the Informant : Mr. Sushant Praveer, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

3 26-10-2016 Heard learned counsel for the petitioner, the State and
the informant.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 363 and 365 of the Indian Penal
Code.

First Information Report has been lodged by Anshu
Devi stating that her daughter Sabita Kumari, aged about 20 years,
is missing from 27.06.2016. On the basis of Call Details Report,
Raju Kumar, who was held to be talking on cell phone of the
victim girl as well as the petitioner, who happens to be roommate
of Raju Kumar, have been taken in custody.

It is contended on behalf of the petitioner that there is
no material against him save and except that he was roommate of
the aforesaid Raju Kumar, upon whom, there is allegation of

kidnapping of the victim girl and the fact that the petitioner used to talk from his mobile number with the aforesaid Raju Kumar.

Learned counsel appearing for the informant has submitted that, in paragraph 57 of the case diary, it is stated that the petitioner has switched off his mobile phone after the date of occurrence.

Per contra, learned counsel for the petitioner has submitted that it is evident from the case diary that the petitioner was taken in custody on 30.07.2016 itself and illegally he was detained in police station for two days, i.e., 30th and 31st of July, 2016 and, thereafter, he was produced before the Magistrate on 1st of August, 2016 and since then, he is in judicial custody having clean antecedent.

Considering the facts and circumstances of the case, the petitioner, above-named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Smita Raj, Judicial Magistrate-1st Class, Patna in connection with Kankarbagh P.S. Case No.404 of 2016.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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