

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41714 of 2016

Arising Out of PS.Case No. -326 Year- 2016 Thana -SAHARSA District- SAHARSA

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Guddu Kumar, Son of Sukhdeo Ram, Resident of village - Baisadh, P.S.
Kumar Khand, District - Madhepura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Sanjay Kumar Singh, Advocate
For the Opposite Party : Mr. Sri Lakshmi Kant Sharma (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with Saharsa
Sadar P.S Case No. 326 of 2016 registered for the offences
punishable under Sections 363/366(A) of the Indian Penal Code.

Allegedly, the informant being police personnel after
getting information that one minor boy and girl have performed
marriage in the temple, the informant and other police personnel
went there and arrested the petitioner and one girl, who confessed
that there is love affair between them and both have performed
marriage. During investigation, the statement of the victim girl
was recorded under section 164 of Cr.P.C. wherein she has stated
that petitioner is her cousin brother and on request of her the

petitioner accompanied to her for going at her cousin sister and nothing wrong has been committed with her.

Submission is of false implication and that as per statement of the victim girl no offence as alleged is made out against the petitioner, petitioner has been made victim of police atrocity and, as such, the petitioner deserves sympathetic consideration, to which learned A.P.P. does not oppose.

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 the learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 326 of 2016, subject to the conditions that one of the bailors must be a 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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