

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51096 of 2016

Arising Out of PS.Case No. -77 Year- 2016 Thana -HATHAURI District- MUZAFFARPUR

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Pintu Kumar, S/o Ashok Sah, R/o Village- Narma Dih, P.S.- Hathauri,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-11-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since 01.08.2016 in connection with Hathauri P.S. Case No.77/16 for offences punishable under Sections 366-A/34 of the Indian Penal Code.

The prosecution case, as lodged by the mother of the victim, is that the petitioner along with other co-accused has kidnapped his daughter. It is alleged that earlier also victim had run away with the petitioner along with cash of Rs. 15,000/-.

It has been submitted by the learned counsel for the petitioner that he is innocent and has falsely been implicated in the aforesaid case. He submits that petitioner has no criminal

history and as per the impugned order the daughter of the informant has given her statement under Section 164 of the Cr.P.C. that she has not been kidnapped. He further submits that petitioner is a young boy aged 19 years and pursuing his studies. It is further submitted that the charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since charge-sheet has already been submitted and the materials available does not reveal that the petitioner's liberty on bail would adversely affect his trial, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate cum Sub-Judge X, Muzaffarpur, in connection with Hathauri P.S. Case No. 77/16.

(Nilu Agrawal, J.)

Rajesh/-

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