

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48892 of 2015

Arising Out of PS.Case No. -129 Year- 2014 Thana -RAGHUNATHPUR District- SIWAN

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Jahangir Mian Son of Samuddin Mian, Resident of Village - Patar, P.S. -
Raghunathpur, District - Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar, Adv.

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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

ORAL ORDER

3 29-01-2016 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Raghunathpur P.S. Case No. 129/2014 registered for the offences
punishable under Sections 366(A)/34 of the Indian Penal Code.

Allegedly, Anju Kumari, minor daughter of the
informant, was kidnapped by the petitioner and other co-accused
and during investigation the victim came at the police station and
then her statement under Section 164 of the Cr.P.C. was recorded
wherein she has stated that she went with the petitioner out of her
own will and she was living with the petitioner as wife and
husband and now she is pregnant.

Submission is of false implication and that it is a case of
love affair, now considering the statement of the daughter the

informant has also given consent regarding the marriage of the petitioner with the victim girl and as such the petitioner who is suffering in custody since 15.06.2015 deserves sympathetic consideration.

Learned A.P.P., on the other hand, submits that the victim girl has been found minor but it is true that she was pregnant.

In the facts and circumstances stated above, the petitioner, above named, 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 Sri D.N. Bhardwaz, Judicial Magistrate 1st Class, Siwan in connection with Raghunathpur P.S. Case No. 129/2014, 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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