

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50101 of 2016

Arising Out of PS.Case No. -235 Year- 2016 Thana -MURLIGANJ District- MADHEPURA

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Guddu Kumar son of Lalan Yadav, resident of village Rampur, P.S. –
Murliganj, District - Madhepura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 22-11-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
14.08.2016 in connection with Murliganj P.S. Case No. 235 of
2016 registered for the offence punishable under Sections
366A/34 of the Indian Penal Code.

The prosecution case is that accused persons by
inducing the daughter of the informant had kidnapped her for the
purpose of marriage while she was sleeping along with her
mother.

It has been submitted by the learned counsel for the
petitioner that he is innocent and even the victim girl in her
statement under Section 164 of the Cr.P.C. has not alleged
anything against the petitioner, as such, he submits that Section

366A of the Indian Penal Code is not applicable. Counsel for the petitioner submits that the age of the victim girl has been assessed by the medical board to be in between 17 and 19 years, although her age has been assessed by the learned Magistrate to be 17 years. He further submits that the petitioner has no criminal history and that the First Information Report has been lodged after much delay.

However, learned A.P.P. 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 the material on record does not reveal that the petitioner's liberty on bail would adversely affect his trial and considering the period of custody, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Murliganj P.S. Case No. 235 of 2016.

(Nilu Agrawal, J.)

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