

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5845 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -NAGARNAUSA District- NALANDA
(BIHARSHARIFF)

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Chandan Kumar son of Pawan Ram, resident of Village- Athmalgola, Tola
Ram Nagar, Karari Kachhar, Police Station- Athmalgola, District- Patna.
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kr.Panday(App)

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

2 19-02-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Nagarnausha P.S. Case No. 145 of 2015 registered for the offences
punishable under Section 363 and 365 of the Indian Penal Code.

Allegedly, Juli Kumari aged about 16 years, the
daughter of the informant became traceless with her mobile no.
8809573243. During investigation the victim girl was recovered
and her statement has been recorded under Section 164 Cr. P.C.
wherein she has stated her age as 19 years though the learned
Magistrate has recorded her age between 16-17 years. She has
stated that she went away with the petitioner and lived with him
for 2-3 months in a rented room at Barh but no physical
relationship was developed.

Submission is of false implication and that the

petitioner has not kidnapped the victim girl rather she has called the petitioner and went away with the petitioner, the petitioner has not committed any overt act and, as such, he deserves sympathetic consideration as he is suffering in custody since 15.11.2015, having no criminal antecedent.

The learned A.P.P. after going through the statement of the victim girl recorded under Section 164 Cr.P.C. does not oppose the prayer of bail.

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. Jitendra Kumar, learned Judicial Magistrate, 1st Class, Hilsa, Nalanda in connection with Nagarnausha P.S. Case No. 145 of 2015 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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