

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6669 of 2016

Arising Out of PS.Case No. -149 Year- 2013 Thana -KORHA District- KATIHAR

=====

1. Gautam Pandit Son of Late Bhupendra Pandit, R/o Gerabari, Navtelia
P.s. - Kerha, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

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

=====

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

3 08-04-2016

Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with Korha
P.S. Case No. 149 of 2013 registered for the offences punishable
under Sections 366(A) and 379/34 of the Indian Penal Code.

Allegedly, Chunia Kumari aged 13 years the
daughter of the informant was kidnapped from the house of her
maternal grandmother with utensils and cash of Rs. 5000/- by the
petitioner on 16.06.2013 but due to social stigma and pressure
earlier First Information Report was not lodged.

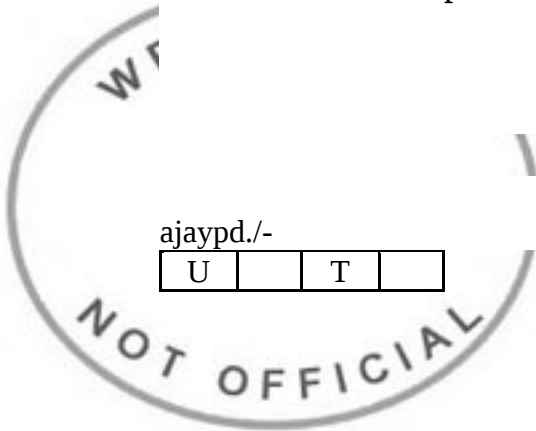
Submission is of false implication and that the
petitioner is in custody since 20.07.2015, charge-sheet has
already been submitted but up till now the victim girl has not

been recovered. During investigation, it has come that earlier also the victim girl has fled away twice-thrice and came back. No fruitful purpose is going to be served by detaining the petitioner in custody, and as such, he deserves sympathetic consideration as there is no eye-witness of the occurrence.

Learned A.P.P. opposes the prayer of bail by submitting that earlier the petitioner remained absconding but later on, he has been apprehended, witnesses have stated the name of the petitioner and the victim is still traceless.

In the facts and circumstances stated above, considering the detention of the petitioner and further that, charge-sheet has already been submitted and there is no chance of tampering with the prosecution evidence, and as such, 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 the learned Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 149 of 2013, 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)