

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20052 of 2016

Arising Out of PS.Case No. -80 Year- 2014 Thana -DHURAIYA District- BANKA

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1. Samas Kamar @ Guddu son of Md. Siddique Kamar
2. Md. Siddiqui Kamar @ Md. Siddique Kumar, sonof Late Md. Amin, Both
are resident of village- Dhapra, P.S.- Basantrai, District- Gooda (Jharkhand)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Shantanu Kumar A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-07-2016 Heard learned counsel for the petitioners as well as

learned Additional Public Prosecutor for the State.

The petitioners are languishing in custody since
10.03.2016 in Dhoraiya P.S. Case No.80 of 2014 for the offence
instituted under Section 366A/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 8.5.2014 at
about 3.00 P.M. the daughter of the informant aged 14 years went
out from her house but she did not return. Despite query when the
informant could not elicit any information regarding whereabouts
of her daughter, he lodged a sanha on 10.5.2014. During search
the informant went to the house of Md. Siddique Kamar and asked
about his daughter but he replied that he had no knowledge about
the victim girl. Subsequently, he went to the son of Md.Siddique



Kamar and the informant also made inquiry from him and then he replied that your daughter had reached Delhi and he gave the informant Mobile No.7541967070 upon which the informant tried to talk with her daughter on Mobile but as soon as the victim heard the voice of her father she cut off her mobile. Prior to this the petitioner Samas Kamar had been talking with the daughter of the informant. The informant had confident that in order to marry with her the petitioners might have kidnapped the victim girl.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 10.03.2016 and the charge sheet has been submitted in the present case. The petitioners have got no criminal antecedent. Petitioner no.2 is the father of petitioner No.1. The statements of the victim have been recorded in paragraph Nos. 21, 25 and 51. The statements in paragraph Nos.21 and 51 have been recorded under Section 161 Cr.P.C. whereas the statement in paragraph No.25 has been recorded under Section 164 Cr.P.C. of the victim. All these three statements give a different version.

On behalf of the State it is submitted that the petitioners have been named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing

bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka, in Dhoraiya P.S. Case No.80 of 2014.

(Sudhir Singh, J)

AnilKrSinha/-

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