

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21678 of 2016

Arising Out of PS.Case No. -502 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

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1. Mithun Das S/o Sant Das, Resident of Village- Salonachak, P.S.-
Lakhisarai, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr. Rita Verma (App)

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

ORAL ORDER

3 04-07-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Lakhisarai
P.S. Case No. 502 of 2015 registered for the offence punishable
under Section 366(A) of the Indian Penal Code.

Allegedly, Sonam Kumari aged 15 years, daughter of
the informant was kidnapped by Bipin Das and petitioner has
assisted Bipin Das.

Submission is of false implication and that the
petitioner has got no connection with Bipin Das or with the said
girl, he has falsely been implicated in this case. During
investigation, witnesses Dharmendra Das and Shobha Devi vide
para 6 and 7 of the case diary have stated that love affair was
going on between Bipin Das and the victim girl for last one and

half year and due to previous enmity the petitioner has been implicated. The petitioner is suffering in custody since 28.03.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the victim is still traceless.

In the facts and circumstances stated above, considering that main allegation is against co-accused Bipin Das 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 CJM, Lakhisarai in connection with Lakhisarai P.S. Case No. 502 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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