

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51497 of 2015

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1. Zila Pandit S/o Upendra Pandit Resident of village - Shahpur BARAT
Jalalpur, P.S. Patori (Mohanpur OP), Distt. - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

For the Opposite Party/s : Mr. Ashok Kumar(App)

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

ORAL ORDER

2 08-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Patori
(Mohanpur) P.S. Case No. 231 of 2015 registered for the offences
punishable under Sections 365, 366A, 120B, 504, 506/34 of the
Indian Penal Code.

Allegedly, the petitioner and others kidnapped Jaya
Kumari, the minor daughter of the informant. During investigation
the victim girl appeared and her statement was recorded under
Section 164 Cr.P.C. wherein, she has named the petitioner and
others, but has not stated regarding any sexual assault committed
against her.

Submission is that co-accused Mina Devi, Upendra

Pandit and Durga Kumari have already been allowed pre-arrest bail vide order dated 30.09.2015 passed in Cri. Misc. No. 39729 of 2015 by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 24.06.2015, having no criminal antecedent.

The learned A.P.P. fairly submits that the victim has not alleged regarding any sexual assault.

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 the Learned C.J.M., Samastipur arising out of Patori (Mohanpur) P.S. Case No. 231 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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