

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14504 of 2016

Arising Out of PS.Case No. -77 Year- 2014 Thana -GOGRI District- KHAGARIA

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Dipak Mandal @ Dipak Kumar @ Dipak Paswan S/o Shib Shankar Paswan
Resident of village- Malhipur, P.S.- Chakiya, District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. M.Dayal(APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with

Gogri P.S. Case No. 77/14 (Sessions Case No. 384/14) for

offences alleged under Sections 366-A/34 of the Indian Penal

Code.

The prosecution case, as lodged by the informant,

is that petitioner along with others kidnapped his daughter Puja

Kumari and raised suspicion that they might have killed or sold

her.

It has been submitted by the learned counsel for

the petitioner that no specific overt act has been alleged against the

petitioner, Section 366-A I.P.C. is not applicable against him and

that he has no criminal antecedent. It has further been submitted that even the victim girl in her statement under Section 164 Cr.P.C. has not made any allegation against the petitioner regarding the overt act. Furthermore, it has been submitted that one Sangeeta Devi, who is alleged to have taken the victim girl along with the petitioner and one another has since been granted the privilege of anticipatory bail in Cr. Misc. No. 4520 of 2016 on 02.02.2016 by a Co-ordinate Bench of this Court.

However, learned APP for the State submits that the petitioner is named in the First Information Report and opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge, Khagaria, in connection with Gogri P.S. Case No. 77/14 (Sessions Case No. 384/2014), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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