

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8699 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

=====

1. Tajdar Son of Akhtar Resident of Village- Mojamma P.s Sahebganj, Dist Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-04-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Mithanpura P.S. Case No. 297 of 2015 registered for the offences punishable under Sections 363, 365 and 366(A) of the Indian Penal Code.

Allegedly, Mobbis Praveen the sister of the informant was kidnapped by the petitioner and ransom of Rs. 10,00000/- was demanded with a direction to come at Varanasi but when the informant went at Varanasi then a call came from Mumbai and thereafter, the victim girl sent message and ultimately the victim girl was recovered with the help of police and the petitioner was arrested.

Submission is of false implication and that the victim

girl is not minor rather major, she went with the petitioner out of her own sweet will and no call detail has been obtained. The Medical Board has assessed her age between 16-17 years, the statement of the victim girl has been recorded under Section 164 Cr.P.C. but she has not named the petitioner. Written report was lodged after nine days of the occurrence and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the victim girl was recovered from possession of the petitioner and he was apprehended and, as such, the petitioner does not deserve bail.

In the facts and circumstances stated above, considering the recovery of victim girl from possession of the petitioner, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Mithanpura P.S. Case No. 297 of 2015 pending in the Court of 1st Additional Sessions Judge, Muzaffarpur in S.T. No. 17/2016.

However, the petitioner may renew his prayer for bail after examination of victim girl during trial.

(Jitendra Mohan Sharma, J)

sushma/-

U		T	
---	--	---	--