

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12069 of 2017

Arising Out of PS.Case No. -207 Year- 2016 Thana -KURSAKANTA District- ARRARIA

=====

Raju Sada S/o Shankar sada Resident of Village-Doriya P.S. Kursakanta
District Araria. Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Nagendra Prasad

=====

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

ORAL ORDER

2 30-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kursakanta
P.S. Case No. 207 of 2016 registered for the offence punishable
under Sections 366A/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused kidnapped
the minor daughter of the informant being armed causing threats
to kill if anyone will protest. The daughter of the informant was
wearing ornaments. During investigation the victim girl was
recovered and her statement under Section 164 Cr.P.C. was
recorded wherein she has not supported the allegation of
kidnapping rather she stated that she had gone to the house of her
maternal grandmother and the petitioner has also gone with her
and the case lodged by her father is false.

Submission is of false implication and that no offence



under Section 366A IPC is made out and as such the petitioner who is suffering in custody since 13.01.2017 without any fault deserves sympathetic consideration.

Learned APP fairly submits that victim in her statement recorded under Section 164 Cr.P.C. has not supported the allegation of kidnapping.

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 A.C.J.M. IV, Araria in connection with Kursakanta P.S. Case No. 207 of 2016, subject to the conditions that one of the bailors must be a 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)

avin/-

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

