

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15117 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -DIGHA District- PATNA

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1. Javed @ Naved @ Faiyaz @ Rituraj Singh, Son of Mansur Alam,
Resident of Village- Milki, Police Station- O.P. Chhaurahi, District-
Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Smt Renu Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sessions
Trial No. 870 of 2016 arising out of Digha P.S Case No. 171 of
2016 registered for the offences punishable under Sections 363,
366(A) of the Indian Penal Code.

Allegedly, the petitioner kidnapped the minor
daughter of the informant and during investigation the statement
of the victim girl was recorded under Section 164 of Cr.P.C.
wherein she has stated that she went out of her own sweet will
with the petitioner and remained with him for about four days.

Submission is of false implication and that victim
went out of her own sweet will, she has not alleged any sexual
assault by the petitioner, the victim has been safely released. The



doctor has found her age between 17-19 years, the petitioner is suffering in custody since 03.07.2016, chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that victim in her statement has stated that she went out of her own sweet will.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-X, Patna, in connection with Sessions Trial No. 870 of 2016, arising out of Digha P.S. Case No. 171 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.)

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