

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20017 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -MEERGANJ District- PURNIA

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1. Gautam Thakur @ Guddu Thakur, Son of Upendra Thakur.
2. Sukesh Sharma, Son of Upendra Mistri, Both are R/o Village- Milki,
P.S.- Mirganj, District- Purnea.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-06-2017

Heard learned counsel for the petitioners.

This is an application for bail in connection with
Meerganj P.S.Case No. 17 of 2017 registered for the offences
punishable under Sections 366A/34 of the Indian Penal Code.

Allegation as per FIR is that petitioners had forcibly
taken the girl and boarded her on motorcycle.

It has been submitted on behalf of the petitioners that
prosecution story appears to be absurd as it is not possible for a
person to get a major girl boarded on a motorcycle and she could
not try to flee and, as a matter of fact, she had gone out of her
sweet will and there is no complaint regarding misbehaving with
her, rather it is case of kidnapping for marriage and learned court
has assessed her age as 18 to 19 years and petitioner is in custody
for about four months.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-1, Purnea, in connection with Meerganj P.S. Case No. 17 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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