

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25950 of 2017

Arising Out of PS.Case No. -73 Year- 2017 Thana -PHULWARI District- PATNA

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1. Rishi Kumar S/o - Sri Vijay Kumar Resident of Village - Rastriyaganj,
P.S. - Phulwarisharif, Distt. - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 04-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since

03.02.2017 in connection with Phulwarisharif P.S. Case No. 73/17

for offences punishable under Sections 363, 366-A of the Indian

Penal Code.

The prosecution case, as lodged by the father of

the victim Aayushi Kumari, is that his daughter aged 14 years

went to the school along with informant's sister-in-law (sali) aged

16 years and did not return back.

It has been submitted by the learned counsel for

the petitioner that he is innocent, bears no criminal history and has

falsely been implicated in the aforesaid case. He submits that no



overt act has been committed by the petitioner, the victim girl came back on the same day and the statement of both the victim girl and Moni Kumari also shows that they returned home on the same day. It is submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State vehemently opposes the prayer for bail stating therein that the allegations are serious in nature and the petitioner had kidnapped the victim girl and Munni Kumari, who are minors, but left them on the same day.

Be that as it may, let petitioner, above named, be enlarged 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 Judicial Magistrate, 1st Class, Patna in connection with Phulwarisharif P.S. Case No. 73/2017.

(Nilu Agrawal, J)

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