

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24557 of 2017

Arising Out of PS.Case No. -291 Year- 2015 Thana -BANKA District- BANKA

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1. Rupesh Kumar @ Sagar Kumar Yadav Son of Sushil Yadav, Resident of
Village- Kajhiya, P.S. Banka, District Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 12-07-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Banka P.S. Case No. 291
of 2015 instituted for the offence under Sections-364A/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that
occurrence is alleged to have taken place on 12-05-2015 whereas;
FIR has been filed on 15-05-2015. It is alleged that the daughter of
the informant was kidnapped by the petitioner. The petitioner
learnt about the occurrence from his eight years old daughter
Manisha Kumari. The victim girl was recovered and her statement
u/S 164 of the Cr.P.C. was recorded in which, she has stated that
she was taken by this petitioner on 10-05-2015 which is apparent
contradiction from the date of occurrence mentioned in the written



report. The victim, has been medically examined wherein the doctor assessed her age as 18 years. The police registered the case u/S 364A of the Indian Penal Code.

In such circumstances, the prayer for bail is allowed and the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Banka P.S. Case No. 291 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Banka subject to condition that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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