

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40591 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Pradeep Kumar, S/o Sonalal Sah, Resident of Village-Bela, P.S.-
Ramgarhwa, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 15-09-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in connection with
Ramgarhwa P.S. Case No. 128 of 2017 for offences
punishable under Sections 366(A)/34 of the Indian Penal
Code.

The prosecution case, as lodged by the
informant, is that on the occasion of Eid, the petitioner
along with two other persons came and after having food
took his niece Saniya Azeem aged 14 years on the



pretext of giving her mango and thereafter she did not return. The petitioner along with five other persons have been made accused.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, the informant's niece and the petitioner were having love affair and the victim girl under Section 164 of the Cr. P.C. has stated that she has now married the petitioner. Her age has been assessed as 17 years by the learned Magistrate.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 Sub Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari, in connection with Ramgarhwa P.S. Case No. 128 of 2017, subject to the condition that one of the bailors would be a



close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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