

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42630 of 2017**

Arising Out of PS.Case No. -173 Year- 2017 Thana -SARAIYA District- MUZAFFARPUR

=====

1. Sonu Kumar Son of Devendra Sah, R/o Village- Paigambarpur, P.S.- Saraiya, District- Muzaffarpur.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Manoj

For the Opposite Party/s : Mr. Sri Ajit Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      09-10-2017              The petitioner seeks regular bail in connection with Saraiya P.S. Case No. 173 of 2017, registered for offences punishable under Sections 363, 366A and 34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor daughter of the informant.

It has been submitted on behalf of the petitioner that now the girl has been recovered in this case and her statement under Section 164 Cr.P.C. has been recorded, in which, except kidnapping, she has not made any allegation of overt act against the petitioner. Further though she in her statement before the Judicial Magistrate -1<sup>st</sup> Class, has stated about the petitioner being instrumental in taking away the girl, however, the said statement



appears to be suspicion as petitioner has been in judicial custody for last five months, whereas it has been stated that the girl was recovered on 05.10.2017 from the house of the petitioner.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, period of custody and also that petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five thousand) with two sureties of the like amount each to the satisfaction of Ms. Priti Kumari, Judicial Magistrate -1<sup>st</sup> class, Muzaffarpur, in connection with Saraiya P.S. Case No. 173 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event



of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

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