

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38431 of 2017

Arising Out of PS.Case No. -144 Year- 2017 Thana -CHAUSA District- MADHEPURA

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Vijay Kumar Mandal @ Vijay Kumar, S/o Babulal Mandal, Resident of
Village- Bari Fatoria, P.S.- Alamnagar, District- Madhepura.

.... 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 Iftekhar Mahmood

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 10-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Chousa P.S.
Case No. 144 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 his daughter Sarita Kumari aged 16 years had been
kidnapped in the night of 21.05.2017 by 10 accused persons in
a Bolero car for the purpose of marriage.

It has been submitted by the learned counsel for the
petitioner that he is innocent and during course of investigation



the daughter of the informant was alleged to have an affair with Hemant Kumar and has eloped with him. The petitioner is distinctly related to the said Hemant Kumar and belongs to another village under Alamnagar police station. He submits that all the relatives have been made accused including the petitioner. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that he has a clean antecedent and is languishing in judicial custody since 24.05.2017. He submits that the F.I.R. has been lodged after three days of the occurrence and no plausible explanation has been given for such delay.

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, Udakishunganj (Madhepura) in connection with Chousa P.S. Case No. 144 of 2017, subject to the condition that both bailors would be close



relative of the petitioner having sufficient immovable property,
who will file an affidavit stating their relationship with the
petitioner.

(Nilu Agrawal, J)

Devendra/-

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