

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47359 of 2017

Arising Out of PS.Case No. -12 Year- 2017 Thana -BHAIRABASHTHAN District- MADHUBANI
=====

1. Deepak Jha @ Nishant Jha Son of Kedar Nath Jha Resident of Village -
Hatadha Rupauli, Police Station - Bhairab Asthan, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

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

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Satyendra Narayan Singh
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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 30-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bhairab
Asthan P.S. Case No. 12/2017 for offences punishable under
Sections 363, 365/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter went out for natural call, but did not return. It is
alleged that the petitioner along with other family members have
abducted his daughter, who was recovered later on.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
there was a love affair between the two. Later on, the victim girl



retracted but has stated that no overt act was committed by the petitioner. He submits that even the Medical Board suggests her age to be 19 years, charge-sheet has already been submitted and petitioner is languishing in custody since 07.09.2017.

However, learned APP for the State opposes the prayer for bail stating therein that the daughter of the informant was abducted and was threatened by the petitioner, as stated by the victim girl in her statement under Section 164 of the Cr.P.C.

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 A.C.J.M. 1st, Jhanjharpur, Madhibani, in connection with Bhairab Asthan P.S. Case No. 12/2017, subject to the conditions that :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear



on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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