

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1142 of 2017

Arising Out of PS.Case No. -202 Year- 2016 Thana -MAIRWA District- SIWAN

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Jitendra Thakur @ Chotak Thakur, S/o Pradeep Thakur, R/o village-
Fulwaria Tola, Shivpur, P.S.- Mairwa, District-Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party : Md. Ashlam Ansari(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in a case instituted for the
offence under Sections 366(A) of Indian Penal Code.

It is alleged in the written report that minor
daughter of the informant has been kidnapped by this petitioner
along with other accused persons. During hearing of the bail
petition attention was brought to Annexure-2 which is statement of
victim girl recorded under Section 164 of Cr.P.C., in which she
has stated that she has voluntarily gone with this petitioner without
informing her family members. Therefore, her mother has filed a
case due to misunderstanding. She has not been kidnapped.

The learned Sessions Judge has rejected the prayer
of bail of the petitioner only on the ground that victim was a minor



at the time of occurrence. It is mentioned in the impugned order itself that victim was medically examined and doctor found her age between 16 to 17 years.

Be that as it may, since victim girl herself has stated that she has gone voluntarily with this petitioner and he has not done any illegal act with her and petitioner is in custody since 21.10.2016, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Mairwa P.S. Case No. 202 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J.)

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