

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42712 of 2016

Arising Out of PS.Case No. -397 Year- 2015 Thana -MANER District- PATNA

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Manish Kumar son of Surendra Mistri, resident of village-Narauli,
Noniachak, P.S. Sigori, Distt. Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prem Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 25-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

This is an application for grant of bail for offences
punishable under Sections 363 and 365 of the Indian Penal Code.

It is alleged in the written report that on 6.9.2015 at
11-30 A.M. daughter of the informant aged 14 years proceeded
from her house for going to market but she did not return.

The statement of the victim girl was recorded under
Section 164 of the Code of Criminal Procedure on 10.2.2016
wherein she has stated that petitioner called her on mobile on
6.9.2015 and she went with him to Patna Zoo. Thereafter, she has
stated that she was given Maza drink and he took her to different
places and also established physical relationship with her.

Learned A.P.P. has submitted that statement of the



victim girl has been recorded under Section 161 of the Code of Criminal Procedure in para-22 of the case diary wherein she has given totally different version of the story as made under Section 164 of the Code of Criminal Procedure.

Considering the different statement of the victim girl under Sections 161 and 164 of the Code of Criminal Procedure, and petitioner is in custody since 22.2.2016, let above named petitioner be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur, in connection with Maner P.S. Case no. 397 of 2015 with condition that both the bailors shall be close relatives of the petitioner.

(Sanjay Priya, J)

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