

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23503 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -KASBA District- PURNIA

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Praful Kumar Roy @ Parful Kumar Ray, Son of Darogi Harijan, Resident of
village Khunkhuni, P.S. Jalalgarh, District- Purnea.

..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the State : Mr. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 13-07-2017

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Kasba P.S. Case No. 134 of 2016 dated 25.11.2016 instituted under
Sections 363/366A/34 of the Indian Penal Code.

3. The allegation against the petitioner and six others is
of abducting the daughter of the informant who claims that she was 17
years of age.

4. Learned counsel for the petitioner submitted that the
petitioner is a student of B.A. (Part II) and the daughter of the



informant had on her own free will gone with the petitioner but the petitioner did not abuse her and on 11.12.2016, the daughter of the informant had gone back to her parents place and thereafter her statement was also recorded before the Court under Section 164 of the Code of Criminal Procedure, 1973. Learned counsel has drawn the attention of the Court to the statement in which there is no allegation of any wrong doing against the petitioner and it is only said that on 24.11.2016 the petitioner, who was her classmate in the coaching class, had told her that he would drop her at her home and she boarded a black coloured four wheeler and thereafter she became unconscious and woke up on 11.12.2016 on the road near Kasba Police Station. It was submitted that it is unbelievable that a person would remain unconscious for 18 days and that too without any food and also that there is no allegation that the petitioner had done something to make her unconscious. Learned counsel submitted that the petitioner being in B.A. (Part-II) and the daughter of the informant claiming to be his classmate cannot be a minor and even the Court has recorded her age as 20 years. It was further submitted that the petitioner has clean antecedent.

5. Learned A.P.P. submitted that the allegation against the petitioner is of abducting the daughter of the informant.

6. Considering the facts and circumstances of the case



and submissions of learned counsel for the parties, in the event of arrest or surrender before the court below within four weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in Kasba P.S. Case No. 134 of 2016, subject to the conditions laid down in Section 438(2) of the Code.

7. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. Any violation of the terms and conditions of the bonds shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J)

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