

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31469 of 2017

Arising Out of PS.Case No. -141 Year- 2016 Thana -GANDHIMAIDAN District- PATNA

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Amit Pandit, Son of Late Sushil Pandit, Resident of Village- Jat Dumri, P.S.
Punpun, Distt. Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 12-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Gandhi Maidan P.S. Case No.141 of 2016 registered under
Sections 363 and 366(A) of the Indian Penal Code.

The accusation is that the victim, the daughter of the
informant, aged about 14 years, had gone to the house of her
maternal uncle alongwith her mother from where she went to
purchase the vegetable but she did not return. Thereafter, the
brother-in-law of the informant informed him about the incident.
While the search was made to trace out the victim, the daughter of
the informant, but she was not found.



Learned counsel for the petitioner submits that on the basis of the written report of the informant, the present case was lodged on 23.04.2016, after 8-10 days of the return of the victim, the daughter of the informant, to the house. The victim, the daughter of the informant, in her statement, as recorded under Section 164 of the Code of the Criminal Procedure on 01.07.2016, has stated about her kidnapping by Chittu Kumar with the help of his mother and brother (petitioner) on boarding her on the vehicle and committing rape on her by Chittu Kumar. In fact, due to love affair with Chittu Kumar, the victim, the daughter of the informant, moved with him but, after returning to the house, under the pressure of the informant, she disclosed the name of the petitioner and Sudha Devi, who is brother and mother respectively of Chittu Kumar, having hand in her kidnapping. Further submission is that Sudha Devi, the mother of Chittu Kumar, has already been granted the privilege of pre-arrest bail by a Bench of this Court vide order dated 03.10.2017 passed in Criminal Misc. No.42166 of 2017. The petitioner has no criminal antecedent.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of the
Chief Judicial Magistrate, Patna, in connection with Gandhi
Maidan P.S. Case No.141 of 2016, subject to the conditions laid
down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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