

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26430 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -CHAPRA MUFFASIL District- SARAN

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Deepak Kumar Son of Late Ramesh Singh, Resident of Village-
Dharamchak, P.S. Dariyapur, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 07-07-2017 Heard the learned counsel for the petitioner, the

learned A.P.P. for the State as also the learned counsel for the

Informant.

In this application for anticipatory bail the petitioner
apprehends his arrest in connection with Chapra Muffasil P.S.
Case No. 05 of 2017 for the offences punishable under sections
366 (A) and 34 of the I.P.C.

Allegedly, the petitioner with the aid and assistance of
other co-accused kidnapped the daughter, aged 15 years, of the
informant. During investigation the statement of the victim girl
has been recorded under section 164 of the Cr.P.C. wherein she
has not supported the allegation of kidnapping.

Submission is of false implication and that no offence



as alleged is made out against the petitioner, other co-accused have been allowed pre-arrest bail by the learned court below itself and as such the petitioner also deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the victim girl due to fear has not stated correctly. She is minor and as such her statement is not reliable.

In the facts and circumstances as stated above, considering that the victim has not supported the allegation of kidnapping in her statement recorded under section 164 of the Cr.P.C. and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. C.J.M. Saran at Chapra in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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