

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9164 of 2017

Arising Out of PS.Case No. -386 Year- 2014 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Deepak Kumar, son of Shri Chandra Prasad, resident of Village -
Deopurpasa, P.S. - Kalyanpur, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Binod Kumar Mishra, Advocate

For the Opposite Party : Mr. Arun Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 08-03-2017 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected by order dated 02.05.2016 passed in Cri. Misc. No. 43314 of 2015, on the ground that now the petitioner is ready to keep Rekha Kumari as his wife and the petitioner is not raising the dispute regarding the child and for his D.N.A. test and petitioner is admitting that the child born from Rekha Devi is of the petitioner and on that ground it is submitted that the petitioner may be released on bail, as petitioner is suffering in custody since 17.01.2015, and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by



submitting that at present Rekha Kumari is traceless with her child and the petitioner has filed Jail Petition in this regard against Dev Kumar Prasad and his wife.

In the facts and circumstances stated above, at present, finding no good ground for reconsideration of prayer of the bail, again prayer of bail of the petitioner stands rejected.

However, the learned trial court is directed to secure the attendance of Rekha Kumari and her child and take her consent that she wants to live with the petitioner or not.

Let the copy of this order be sent to the Superintendent of Police, Motihari to produce Rekha Kumar with her child in the learned Court below.

(Jitendra Mohan Sharma, J.)

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