

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30243 of 2017

Arising Out of PS.Case No. -118 Year- 2017 Thana -BARAUNI District- BEGUSARAI

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1. Inder Nishad Son of Late Wakil Nishad Resident of Village - Dumra,
Diyara, P.S. - Maranchi, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal

For the Opposite Party/s : Mr. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Barauni
(Refinery) P.S. Case No. 118 of 2017 registered for the offence
punishable under Section 366(A)/34 of the Indian Penal Code.

Allegedly, the petitioner kidnapped the daughter, aged
14 years, of the informant. During investigation, the statement of
the victim girl has been recorded under Section 164 Cr.P.C.
wherein, she had not supported the allegation of kidnapping rather,
she had stated that she went to Simariya to see the fair and she
stayed at the house of her maternal aunt for ten days. She has
stated that she went with the petitioner but they did not stay
together.



Submission is of false implication and that no offence as alleged is made out against the petitioner, the victim went out with her own sweet will to see fair. No overt act has been attributed against the petitioner and, as such, the petitioner who is suffering in custody since 17.04.2017, deserves sympathetic consideration.

Learned A.P.P. fairly submits that from the statement of the victim girl, it reveals that it was not a case of kidnapping.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Barauni (Refinery) P.S. Case No. 118 of 2017 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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