

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29933 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -KRITYANAND NAGAR District- PURNIA
=====

1. Bhola Mahto Son of Sri Satya Narayan Mahto, Resident of Village-
Srinagar, P.S.- K. Nagar, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. Sanjay Kumar Singh
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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 26.03.2017 in
connection with K. Nagar (Srinagar) P.S. Case No. 115 of 2017
for offences punishable under Sections 363, 366(A), 34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter, aged about 15 years, who has recently taken her
matriculation examination was standing at her door at 7.00 P.M.
The petitioner along with other accused persons named in the First
Information Report and some unknown forcibly took his daughter
on the motorcycle and ran away.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and the victim girl had run away with the petitioner out of her own sweetwill as stated by her in her statement under Section 164 Cr.P.C., but she also stated that she does not now want to live with him. He submits that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the victim girl is a minor.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rohit Kumar, learned Judicial Magistrate, 1st Class, Purnea or successor court, in connection with K. Nagar (Srinagar) P.S. Case No. 115/2017, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court



below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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