

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35691 of 2017

Arising Out of PS.Case No. -141 Year- 2017 Thana -KADWA District- KATI HAR
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1. Md. Shaha Kamal @ Shah Kamal @ Md. Shah Kamal, Son of Md. Mohsin Alam, Resident of Village- Mokarri Kamalpur, Police Station- Balia Balon, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

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

Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad
For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1
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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2017 The petitioner seeks regular bail in connection with Kadwa P.S. Case No. 141 of 2017, registered for offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

Allegation against the petitioner is of kidnapping of minor girl of the informant.

It has been submitted on behalf of the petitioner that the petitioner, who is of clean antecedent, is innocent and has not committed any offence rather he has falsely been implicated in this case. In fact, the age of the girl was assessed as 17-18 years by the Medical Board and further in the statement under Section 164 Cr.P.C., the victim has not stated anything about her kidnapping by this petitioner and nothing has been stated by her supporting



the prosecution version. Further, he has been rotting in judicial custody for the last two months.

Learned A.P.P. opposed the prayer for bail and submitted that there is direction allegation of kidnapping of a minor girl of the informant against the petitioner, therefore, petitioner does not deserve the privilege of bail.

Having heard both sides, considering the fact and circumstances of the case, I am not inclined to release the petitioner on bail and therefore his application for grant of regular bail is, accordingly, rejected.

However, the petitioner may renew is prayer for bail after framing of charge in this case .

(Vinod Kumar Sinha, J)

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