

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34273 of 2017

Arising Out of PS.Case No. -45 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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Md. Lal Babu, Son of Md. Naseer, resident of Village- Saidpur, P.S. –
Madhubani, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Irshad

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

For opposite party no. 2 : Mr. Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2017 The petitioner seeks regular bail in connection with

Matihani P.S. Case No. 45 of 2017, registered for offences

punishable under Section 366A of the Indian Penal Code.

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

It has been submitted on behalf of the petitioner that the
girl has been recovered and her statement under Section 164
Cr.P.C has been recorded, in which she has stated she went with
the petitioner out of her own sweet will and married with him.
Further petitioner has no criminal antecedent and has been in
judicial custody since 29.03.2017

Heard learned counsel for the State as well as learned
counsel for the informant. They have opposed the prayer for bail
on the ground that the girl was minor.

Having heard both sides, considering the facts and
circumstances of the case and also the statement of victim girl



recorded under Section 164 Cr.P.C, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge –I cum Special Judge, POCSO Act, Begusarai, in connection with Matihani P.S. Case No. 45 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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