

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33665 of 2017

Arising Out of PS.Case No. -162 Year- 2017 Thana -SHEKHPURA District- SEKHPURA

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1. Shubham Kumar, aged about 19 years, son of Awadhesh Prasad, resident of Village- Baraiyabigha, P.S.- Sheikhpura (Kusumbha), District- Sheikhpura, Bihar.
 2. mantu Kumar, aged about 18 years, son of Chndeshwar Prasad, resident of Village- Jiyanbigha, P.S.- Sheikhpura (Kusumbha), District- Sheikhpura, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Basant Kumar Tripathy

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-07-2017 Heard the parties.

The petitioners seek regular bail in connection with Sheikhpura P.S.Case No.162 of 2017 registered for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

Allegation, as per F.I.R., is that the petitioners along with other co-accused persons kidnapped the daughter of the informant, however, Submission of the learned counsel for the petitioners is that statement of the girl has been recorded under Section 164 Cr.P.C. and she has stated that she had gone along with the petitioner and another co-accused persons only for Joy riding and no other allegations have been attributed by the victim girl. It is further submitted that the medical report also discloses that her age has been assessed as 17-18 years. The petitioners are



in custody for about 3 ½ months and one of the co-accused having similar allegation has already been granted bail by this Court vide order dated 5.7.2017 passed in Cr. Misc. No.26006 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J-I, Sheikhpura in connection with Sheikhpura P.S.Case No.162 of 2017.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, otherwise, their bail bond shall be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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