

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42283 of 2017**

Arising Out of PS.Case No. -251 Year- 2016 Thana -JAGDISHPUR District- BHAGALPUR

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Amit Kumar Rai Son of Lakhan Rai, resident of Village- Phulwaria, P.S.-  
Jagdishpur, District- Bhagalpur.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, APP.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      21-09-2017                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner is languishing in judicial custody since  
29.03.2017 in connection with G.R. No. 3582 of 2016 arising  
out of Jagdishpur P.S. Case No. 251 of 2016 for offences  
punishable under Sections 366/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is  
that he married his daughter Laxmi Kumari six months back  
but while she was in her parental house on 03.10.2016 she  
went for natural call and did not return. It is alleged that the



petitioner along with his family members have abducted his daughter, when he went to the petitioner's house all the family members abused and assaulted and turned him away.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that although the date of occurrence is 03.10.2016 F.I.R. has been lodged on 19.10.2016 after much delay and no plausible explanation has been given for such delay. He further submits that the victim lady is a major who has stated in her statement under Section 164 Cr.P.C. that she has married with the petitioner and wants to stay with him. Her age has been assessed by the Magistrate as 18 year although she stated that she is 20 years of age.

However, learned APP for the State opposes the prayer for bail.

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



learned 1<sup>st</sup> Additional Sessions Judge, Bhagalpur, in  
connection with G.R. No. 3582 of 2016 arising out of  
Jadishpur P.S. Case No. 251 of 2016.

**(Nilu Agrawal, J)**

Devendra/-

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