

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37391 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -PARWATTA District- KHAGARIA

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1. Ashish Kumar Poddar @ Asheesh Kumar Poddar, son of late Jay Narayan Poddar, resident of village- Madhurapur Bazar, Narayanpur, P.S.-Bihpur (Bhavanipur), District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sadanand Prasad Deo, Advocate

For the Opposite Party/s : Mr. Kumar Virendra Narayan, APP

Mr. Mrityunjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 30-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in Parbatta (Bharatkhand) P.S.

Case No.04 of 2017 instituted for the offence under Section(s)

363, 366-A/34 Indian Penal Code pending in the Court of the

Additional Chief Judicial Magistrate, 1st, Khagaria.

It is alleged by the Informant that her minor daughter was kidnapped by the accused persons as named in the written report.

The victim girl has given statement under Section 164 Cr. P.C., wherein, she has stated her age as 15 years. The Court has also assessed her age as 15 years.

There is specific allegation against this petitioner of



confining her in a room in Delhi for about 1½ months and committing illegal act with her.

The police has mentioned in para 105 and 107 of the case diary that the victim girl was recovered from Delhi along with petitioner. Medical report of the victim is available in the case diary, wherein, age of the victim has been stated between 17-18 years, but there is apparently overwriting in the age as firstly it had been written as 16-17 years.

In such circumstances, this Court is not inclined to enlarge the petitioner on bail at this stage.

Prayer of the petitioner for grant of bail is rejected.

The petitioner may renew his prayer for bail after six months if there is no substantial progress in the trial.

(Sanjay Priya, J)

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