

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4606 of 2017

Arising Out of PS.Case No. -62 Year- 2016 Thana -MANSI District- KHAGARIA

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Jeeva Kumar @ Rajeev Kumar, S/o Kaushal Singh, Resident of Village-
Ekania, P.S.- Mansi, District- Khagaria. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Mansi P.S. Case
No. 62 of 2016 registered for the offence punishable under Sections
366A/34 of the Indian Penal Code.

Allegedly, the daughter of the informant was kidnapped by one
Arbind Kumar with the help of his four associates including the
petitioner.

Submission is of false implication and that in fact, there was
love affairs between the daughter of the informant and co-accused
Arbind Kumar and they went away out of their own sweet will and
stayed at different places and they lastly stayed at Ludhiana. The victim
in her statement recorded under Section 164 Cr.P.C. though has stated
the name of the petitioner and others regarding their hands in
kidnapping but has not stated regarding any overt act and rape was
committed only by Arbind Kumar and not by the petitioner. The



petitioner is in custody since 21.12.2016 and age of the victim has been assessed as 16-17 years in the report of the medical board. Similarly situated co-accused Vikram Kumar and Dharmendra Kumar have already been allowed bail vide Cr. Misc.No. 1598 of 2016 by another co-ordinate Bench of this Court.

Learned APP submits that the petitioner is also named as kidnapper in the statement recorded under Section 164 Cr.P.C.

In the facts and circumstances stated above, considering that two similarly situated co-accused have been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 62 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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