

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47317 of 2017

Arising Out of PS.Case No. -125 Year- 2015 Thana -KANHAULI District- SITAMARHI

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Rama Shankar Kumar @ Prince Singh son of Lakshman Singh, resident of
Village- Dumri Kala, P.S. Majorganj, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 23-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.05.2017 in connection with Kanhauli P.S. Case No. 125 of
2015 for offences punishable under Sections 363, 366(A)/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 15 year old daughter Kajal Kumari had gone to the market
but did not return. It is alleged that she must have gone with the
petitioner and his brother Indra Bhushan Singh @ Bade Singh as
she was on talking terms with the petitioner.

It has been submitted by the learned counsel for the



petitioner that he is innocent. Now the petitioner and the victim girl Kajal Kumari are married husband and wife which has been stated by the victim girl under Section 164 of the Cr. P.C. before the Magistrate where her age has been assessed as 16 years. He submits that no overt act has been committed, bears no criminal history and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

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 Additional Chief Judicial Magistrate-VII, Sitamarhi in connection with Kanhauli P.S. Case No. 125 of 2015.

(Nilu Agrawal, J)

Devendra/-

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