

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46179 of 2017

Arising Out of PS.Case No. -153 Year- 2017 Thana -SAMASTIPUR District- SAMASTIPUR

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Md. Kalamuddin @ Chotu @ Md. Kamaluddin Son of Mazir Hussain, R/o
Village- Khatapur Manik, P.S.- Sarairanjan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Mukesh Kumar, Advocate.

For the Opposite Party/s : Mr. Manoj Kumar – 1, APP.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

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

The petitioner seeks bail in Samastipur Town P.S.
Case No. 153 of 2017 registered under Sections 363 and 366A of
the Indian Penal Code and Section 4/8 of Protection of Children
from Sexual Offence Act.

The petitioner is said to have taken the minor
daughter of the informant to the hotels enticing her for six months
and on the date of occurrence, he has also taken his daughter to the
hotel and was about to escape in the evening, but he was
apprehended by the police on the information given by the
informant.

It is submitted by learned counsel for the petitioner



that the victim happens to be major aged about 18-19 years as found by the medical board. She was medically examined on the very date of her arrest, but no sign of rape was found against her. The victim in her statement recorded under Section 164 of the Code of Criminal Procedure has stated that she *suo motu* used to go with the petitioner in the hotel and on the date of occurrence she has also called the petitioner in the hotel. The petitioner has been languishing in custody since 29.06.2017.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional District Judge-I, Samastipur in connection with Samastipur Town P.S. Case No. 153 of 2017.

(Prakash Chandra Jaiswal, J)

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