

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44363 of 2017

Arising Out of PS.Case No. -40 Year- 2017 Thana -JANKINAGAR District- PURNIA

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Laltu Kumar Son of Late Jagdish Mahto, R/o Village- Rampur Tilak, P.S.-
Janki Nagar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Iftekhar Mahmood

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

2 21-09-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Janki Nagar P.S. Case No. 40 of 2017 for the offence punishable under section 366 (A)/34 of the I.P.C.

Allegedly, the petitioner and co-accused kidnapped the informant after alluring her and thereafter proposed to marry with her but she refused and then the informant informed through mobile of the petitioner to her brother and then her brother came and brought her back.

Submission is of false implication and that the victim went out on her own sweet will but under pressure she has stated



otherwise in her statement recorded under section 164 of the Cr.P.C, she has stated that no assault of any kind was committed against her and as such the petitioner deserves sympathetic consideration. There is contradiction in the statement recorded under section 164 of the Cr.P.C from the FIR.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering that no physical assault or misbehave was committed against the informant and as such the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri D. Prakash, J.M, 1st Class, Purnea in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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