

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12542 of 2017**

Arising Out of PS.Case No. -172 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

=====

1. Amit Kumar, Son of Sri Anil Prasad Mandal @ Anil Prasad Singh,  
resident of Habibpur Koeri Tola, Shivajee Nagar, P.S. Habibpur, District-  
Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Harendra Prasad

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**

**JHA**

**ORAL ORDER**

5      09-05-2017                      Heard both sides.

The petitioner seeks bail in Naugachia P.S. case No.  
172 of 2016 under Section 366, 371, 120B, 34 of the Indian Penal  
Code.

The informant alleged that his daughter went to  
Bhagalpur along with Khushboo Kumari but she did not return.  
The father of Khushboo Kumari also gave information in  
Naugachia P.S. for missing of Khushboo Kumari.

The learned counsel for the petitioner submits that  
the informant named Satya Narayan Kumar, maternal uncle of  
Khushboo Kumari, and alleged that he kidnapped the victim. The  
victim made her statement under Section 164 of the Cr. P. C. and



disclosed that she was having affairs with one Aftab. Khushboo Kumari took her to Bhagalpur and thereafter Satya Narayan Kumar and petitioner took her to different places. She alleged that Satya Narayan Kumar committed rape with her. It is submitted that there is no specific allegation against the petitioner. The victim voluntarily went along with Satya Narayan Kumar and she did not make any sorts of allegation against the petitioner. The petitioner is in jail since 07.10.2016.

Considering the facts that victim, of course, named the petitioner that he also accompanied Satya Narayan Kumar but she did not make any specific allegation against the petitioner and the petitioner is in jail since 07.10.2016, 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 1<sup>st</sup> Additional Sessions Judge-Naugachia, Bhagalpur in Sessions Trial No. 769 of 2016, arising out of Naugachia P.S. Case No. 172 of 2016.

**(Prabhat Kumar Jha, J)**

BKS/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

