

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5562 of 2017

Arising Out of PS.Case No. -385 Year- 2016 Thana -HAJIPUR SADAR District- VAISHALI
(HAJIPUR)

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Sujit Kumar, son of Suresh Sah, resident of village-Barasamella, P.S.-
Kudhani, District-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Bela Singh, Advocate.

For the Opposite Party/s : Smt. Sharda Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 28-02-2017 Heard learned counsel for the petitioner and the State.
- The petitioner seeks bail in Hajipur Town P.S. Case 385 of 2016 instituted for the offence under Sections 366A and 120B/34 of the Indian Penal Code.
- It has been submitted by the petitioner that the victim girl is alleged to have been kidnapped on 26.5.2016 for which information was also received by the complainant. The complaint has been filed after delay of five days i.e. on 31.5.2016. It has further been submitted that the girl in her statement under Section 164 Cr. P.C. has nowhere levelled any specific overt act against the petitioner. She has merely stated that after seeing the photograph, she came to know that she has been married with the petitioner.



Learned A.P.P. has submitted that the victim girl is minor and she has taken the name of the petitioner in her statement under Section 164 Cr. P.C. The statement of victim girl is available in paragraph-50 of the case diary.

From perusal of the case diary, it appears that the victim girl has not levelled any allegation of overt act against the petitioner, except that she found herself in the photograph and came to know that she was married with the petitioner. She has stated in her statement under Section 164 Cr. P.C. that she was taken to the house of the petitioner by her mousi. The petitioner is said to be in custody since 17.6.2016.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Chief Judicial Magistrate, Vaishali, in connection with Hajipur Town P.S. Case No. 385 of 2016, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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