

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25169 of 2017

Arising Out of PS.Case No. -206 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Bittu Kumar, son of Ashni Patel alias Ashwani Patel, resident of Village-
Madhusuddan Pakari, P.S.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

5 05-09-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
27.09.2016 in connection with Sessions Trial No. 51 of 2017,
arising out of Lalganj P.S. Case No. 206 of 2016 registered for the
offence punishable under Sections 363, 365 and 366(A)/34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 16 year old grand-daughter, Soni Kumari went out for
natural call in the night and did not return. It is alleged that she
must have been kidnapped by the petitioner with the help of other
co-accused.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and although the victim girl has given a contradictory statement under Section 164 of the Cr.P.C., but her younger sister has stated that she had a love affair with the petitioner and that medical report indicates her age to be 17 – 19 years and opined that she was habitual to sex. It has further been submitted that he has been falsely implicated and no overt act has been committed by him as both were having love affair. He submits that charge-sheet has been submitted, trial is going on and he undertakes to cooperate with the trial

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Vaishali at Hajipur in connection with, Sessions Trial No. 51 of 2017, arising out of Lalganj P.S. Case No. 206 of 2016 subject to the condition that one of the bailors would be a close relative of the petitioner and



that petitioner will appear before the learned Court below on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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