

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27084 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -NANHPUR District- SITAMARHI

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Amit Kumar, son of Bamdeo Mandal @ Baldeo Mandal, resident of
Village- Bela Bahadurpur, Police Station- Nanpur, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs. Rita Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-07-2017 Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner seeks bail in connection with

Nanpur P.S. Case No. 55 of 2017 registered for the offence

punishable under Sections 363 and 366A/34 of the Indian

Penal Code.

The prosecution case, as lodged by the

victim's father, is that the victim Archana Kumari has been

forcibly kidnapped by the petitioner and taken away to

Delhi. Father of the petitioner called the informant to

Delhi, but after sometime, victim girl was made to

disappear.



It has been submitted by the learned counsel for the petitioner that he is innocent, the fact is that the petitioner and the victim girl were in love with each other and while the mother was sleeping in the house and father and brother had gone for her faldan at Muzaffarpur, she eloped with the petitioner, which fact has also come in the supervision note. He submits that the victim girl in her statement under Section 164 of the Cr.P.C. has not alleged any overt act committed by the petitioner. It has further been submitted that the victim girl is a major as certified by the medical report stating her age between 18 – 19 years. He submits that he is in custody since 21.03.2017 and that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner had taken away the informant's daughter and kept at various places, hence, 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 Sub-
Divisional Judicial Magistrate, Pupri, Sitamarhi in
connection with Nanpur P.S. Case No. 55 of 2017.

(Nilu Agrawal, J.)

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