

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44501 of 2017

Arising Out of PS. Case No.-82 Year-2017 Thana- BYPASS District- Patna

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1. Amrish Kumar @ Amresh @ Amresh Kumar,
 2. Anand Kumar Both Sons of Late Amarnath Sah,
 3. Rubi Kumari D/o Late Amarnath Sah,
 4. Sunita Devi W/o Late Amarnath Sah, All R/o Begampur, Mahavir Ashthan Pipal Tal, Patna City, P.S.- Bypass, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar
For the Opposite Party/s : Mr. SMT. ASHA KUMARI

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Bypass P. S. Case No. 82 of 2017 registered for the offences punishable under Sections 363, 366(A) of the Indian Penal Code.

Allegedly, the petitioners and co-accused Binay Kumar have kidnapped the minor daughter of the informant and she has gone away with ornaments and cash of Rs. 29,000/-.

Submission is of false implication and that the victim girl has appeared at Police Station and her statement under Section 164 Cr.P.C. has been recorded also in which she has stated her age 21 years and the learned Magistrate has assessed her age 19



years. She has not supported the allegation of kidnapping and has specifically stated that she went out of her own sweet will with Binay and she has called Binay and with him she went to Bangalore and she performed marriage in court with Binay and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that the victim in her statement recorded under Section 164 Cr.P.C. has not supported the allegation of kidnapping.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Shri R. K. Bharti, J. M. Ist Class, Patna City in connection with Bypass P. S. Case No. 82 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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