

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26912 of 2017

Arising Out of PS.Case No. -45 Year- 2015 Thana -DUMRA District- SITAMARHI

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Ajit Kumar, son of Jageshwar Mahto, resident of Village- Rikhauli, P.S.-
Dumra, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 12-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Dumra P.S.Case No. 45 of 2015, corresponding to Sessions Trial
No. 456 of 2016, registered for the offences punishable under
Sections 363 and 366A/34 of the Indian Penal Code.

Petitioner is named in the FIR and allegation is of
kidnapping of daughter of informant.

It has been submitted on behalf of the petitioner that
FIR itself shows that the victim remained with the petitioner in
Punjab for one year and she has made no complaint there against
the petitioner and when she came back to the house on the
pressure of family members she has lodged the present case,
which clearly shows the falsity of the case and he is in custody
since 4.5.2016.

Heard learned APP also, who has opposed the prayer
for bail stating that in her statement under Section 164 Cr.P.C. she
has named this petitioner and also stated about commission of rape
by the petitioner.



Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge, 1st, Sitamarhi, in connection with Sessions Trial No. 456 of 2016, arising out of Dumra P.S.Case No. 45 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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