

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34127 of 2017

Arising Out of PS.Case No. -84 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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Pramod Kumar Das, S/o Late Mahesh Das, Resident of Village- Hiramia,
Police Station- Rosera, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 30-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rosera P.S.
Case No. 84 of 2017 (G.R. No. 348 of 2017) for offences
punishable under Sections 366/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his daughter is traceless from the house since 8 PM on
15.04.2017. It is alleged that the petitioner along with co-accused
have kidnapped her.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid case. He submits that the victim Kiran Kumari is a



married lady. As per the investigation also she was married in the year 2016 and the petitioner and the victim girl were in love before the marriage. He submits that there was a love affair between them prior to the marriage of the victim girl and she eloped with him but the statement under section 164 Cr.P.C. has been given under coercion. It has further been submitted that age of the girl has been assessed by the medical board to be 17-18 years hence she cannot be treated as a minor and that no rape has been committed as assessed by the medical board. He submits that charge-sheet has already been submitted and he is in judicial custody since 26.04.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate-1st Rosera at Samastipur in connection with Rosera P.S. Case No. 84 of 2017 (G.R. No. 348 of 2017), subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/



court, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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