

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38068 of 2017

Arising Out of PS.Case No. -88 Year- 2017 Thana -ARARIA District- ARARIA

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1. Ishwardev Rajak, S/o Tarachand Rajak, Resident of Village- Dumri,
P.S.- Karjaeen Bazar, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anujit Sinha

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-09-2017 Heard the parties.

The petitioner seeks regular bail in connection with Araria (R.s.) P.S.Case no.88 of 2017 , registered for offences punishable under Sections 366(A), 372/34 of the Indian Penal Code later on added Sections 4, 6, 8 of POSCO Act.

Allegation against the petitioner is of kidnapping the minor girl of the informant.

Submission of the learned counsel for the petitioner is that statement of the girl recorded under Section 164 Cr.P.C. shows that she was taken away by the petitioner but nothing else has been stated in her statement. It is further submitted that from her statement, it appears that she was major as she born in the year, 1999 but her actual date of birth is in the year, 2002. The



petitioner is in custody for about 4 ½ months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 learned 1st Addl. Sessions –cum- Spl. Judge (POSCO) Act, Araria in connection with Araria (RS) P.S.Case no.88 of 2017.

With following conditions :

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

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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