

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35137 of 2018

Arising Out of PS.Case No. -201 Year- 2018 Thana -BODHGAYA District- GAYA

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1. Purushottam Mishra, S/o Umesh Dutta Mishra, Resident of Madnadih,
Near Patrol Pump, P.S.- Loyabad, District- Dhanbad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kuma Sinha

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 06-07-2018

Heard the counsels for the parties.

The petitioner seeks bail in connection with Bodhgaya
P.S. Case No. 201/2018 dated 31.03.2018 instituted for the offence
under Section 366A of the Indian Penal Code.

The 12 and ½ years old niece of the informant had gone
out of her house on 30.03.2018 but she did not come back home till
evening. It was later learnt that the petitioner, who is the teacher of
the niece of the informant, had developed some kind of intimacy
with her. The informant visited the school in which his niece was
studying and where the petitioner was a teacher. There, he learnt that
the petitioner had resigned from his job and had gone away from the
school. The mobile number of the petitioner was also found to be
switched off. Thus, a suspicion was raised that the petitioner had
abducted/kidnapped the niece of the informant.



During the course of the investigation, the victim was recovered who, in her 164 statement, disclosed that she had gone to a distant place with her teacher of her own volition and she was not subjected to any sexual misdemeanor.

It has been submitted on behalf of the petitioner that the victim girl is wrongly stated to be a minor. Her age has been assessed by the Medical Board as 18 years. Apart from this, the petitioner did not have any idea that the so-called victim had come out of her house without informing her family members and other elders of the family. After coming to know of the implication of the petitioner in the present case, he surrendered immediately which is reflective of the fact that he did not have any intention of committing the offence.

The petitioner is in custody since 01.04.2018.

Considering the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No. 201/2018.

(Ashutosh Kumar, J.)

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