

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35598 of 2018

Arising Out of PS.Case No. -575 Year- 2017 Thana -SAMASTIPUR MUFFASIL
District- SAMASTIPUR

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Naresh Mishra, Son of Late Kamla Kant Mishra, Resident of
Village- Silaut, Police Station- Samastipur Muffsil, District-
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 09-07-2018 The petitioner seeks bail in connection with Sessions Trial No. 17 of 2018, arising out of Samastipur Muffasil P.S. Case No. 575 of 2017, dated 22.09.2017, instituted for the offences under Sections 363, 365 and 366-A of the Indian Penal Code.

The daughter of the informant went missing and, therefore, a case was lodged against unknown. Shortly, thereafter, the informant, in his further statement has disclosed that he came to learn that the petitioner and his son Munna Kumar have kidnapped her daughter.



Learned counsel appearing for the petitioner has submitted that aforesaid Munna Kumar has married the daughter of the informant in Arya Samaj Temple, Dadri Gautam Buddha Nagar, Uttar Pradesh. This fact was known to the informant and others, but the family of the informant has not accepted the marriage and, therefore, the present accusation has been levelled. It has further been submitted that the because of the informant creating impediments in the happy married life of the son of the petitioner, an application was filed by the son of the petitioner before the Rajasthan High Court, seeking protection against any untowards incident. The aforesaid protection was also granted by a Bench of Rajasthan High Court. The victim has not come back.

Learned counsel for the petitioner has also submitted that in the F.I.R., there is no reference of the age of the victim girl; on the contrary, the marriage certificate describes the daughter of the informant to be a major.

The petitioner is in custody since 29.09.2017 and there has not been any substantial progress in the trial.

Considering the aforesaid facts, the petitioner, above named, is directed to be released on bail on his



furnishing bail-bond in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Fast Track Court No.-II, Samastipur in connection with Sessions Trial No. 17 of 2018, arising out of Samastipur Muffasil P.S. Case No. 575 of 2017.

The petitioner shall, after his release from jail, participate in the trial proceedings and his absence from the trial proceedings for two consecutive dates, without necessary cause or permission of the Trial Court, would render his bail-bond liable to be cancelled.

(Ashutosh Kumar, J)

Praveen-II/-

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