

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31776 of 2018

Arising Out of PS.Case No. -271 Year- 2016 Thana -TAJPUR District- SAMASTIPUR

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Ram Niwash Singh @ Naidu, Son of Sri Dinesh Prasad Singh,. Resident of
Larua P.S.- Tajpur (Halai), District- Samastipur. Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Sessions
Trial No.141 of 2018 arising out of Tajpur P.S. Case No. 271 of
2016 registered for offences punishable under sections 363,
366(A)/34 of the Indian Penal Code.

As per FIR, when the informant along with her
daughter was going to West Bengal at the place of her husband,
her daughter got down and disappeared from the bogie. She came
to Barauni Junction and thereafter returned back to her village
where this petitioner and other co-accused used to visit her house
to abuse and assault.

It has been submitted that the allegation of abduction
of the daughter of informant is omnibus. The occurrence took



place in the jurisdiction of Railway police but report was not lodged. The police on secret information recovered the victim from the house of informant itself on 26.07.2016 and thereafter she was produced before the Magistrate where she has narrated the false story of her kidnapping. The recovery of girl from her house itself falsifies the story of her abduction. The doctor has assessed the age of victim in between 17½ to 18½ years. The petitioner is in custody since 21.09.2017 having clean antecedent and so he deserves bail.

The learned Additional Public Prosecutor on the other hand opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Fast Track Court-I, Samastipur in connection with S. Tr. No.141 of 2018 arising out of Tajpur P.S. Case No. 271 of 2016, subject to the 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 cooperate in the disposal of trial and make himself available as



and when required by the court.

(Sanjay Kumar, J)

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