

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3391 of 2018

Arising Out of PS.Case No. -118 Year- 2017 Thana -SISWAN District- SIWAN

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1. Tiras Sah Son of Bindalal sah Resident of Village-Rampur, P.S. Siswan,
District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Utsav Kumar

For the Opposite Party/s : Mr. Indra Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
18.07.2017 in connection with Siswan P.S. Case No. 118/17 for
offences punishable under Sections 363, 366-A, 376 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that her 14 year old daughter Nargis Khatoon has been kidnapped
by the petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, the date of
occurrence is 04.07.2017, F.I.R. has been lodged on 17.07.2017
and no plausible explanation has been given for such inordinate



delay. He submits that the victim girl before the police has stated that she was having love affair and the informant's brother has also stated about the love affair, although, the victim girl has contradicted her statement given under Section 164 Cr.P.C. before the Magistrate. He submits that the age of the victim girl has been assessed by the Medical Board to be of 16-17 years.

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 Addl. Chief Judicial Magistrate-X, Siwan, in connection with Siswan P.S. Case No. 118/17, subject to condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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