

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61522 of 2017

Arising Out of PS.Case No. -155 Year- 2017 Thana -DHAMDHAHA District- PURNIA

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1. Azad Sah Son of Bhola Sah Resident of village- Bishanpur, P.S.-
Dhamdaha, District- Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-01-2018 Heard the parties.

This application is for grant of regular bail in connection with Special Case No.88 of 2017 arising out of Dhamdaha P.S.Case no.155 of 2017 for the offences punishable under Sections 366A/34 of the Indian Penal Code.

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

Submission of the learned counsel for the petitioner is that there was love affair between the parties and further there is contradiction between the prosecution story narrated in the FIR from the statement recorded under Section 164 Cr.P.C. of the girl and also in the statement of the mother of the victim. Further submission is that he is in custody since 15.7.2017.



Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the girl in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

Having heard both sides and in such situation of the matter, I am not inclined to grant bail to the petitioner, however, if substantial progress is made in the case and evidence of the victim girl is recorded, the petitioner is at liberty to renew his prayer for bail before the learned trial court, which will be considered on the basis of the materials available at that time in the court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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