

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63259 of 2018

Arising Out of PS. Case No.-307 Year-2018 Thana- KOTWALI District- Patna

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Amit Kumar son of Anandlal Mahto, resident of Village- Mura Harlochanpur,
P.S. Sakara, District- Muzaffarpur, presently residing at Maharaja Complex,
Frazer Road, P.S. Kotwali, District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Kotwali P.S. Case No. 307 of 2018 registered
for the offence punishable under Sections 365, 366 of the
Indian Penal Code and 25 [1-B] a, 26, 35, 27 of Arms Act.

Allegation against petitioner is that on 17.05.2018
at 8.0'clock Amit Kumar (petitioner) forcibly took away his sister
on the vehicle, even after much search she could not be located
and also allegation is that the petitioner forcibly confined her
for the purpose of marriage.

It has been submitted on behalf of the petitioner
that petitioner is innocent and has been falsely implicated in
this case. There is no eye witness of the occurrence. It has been



further submitted that petitioner is running mobile shop in Maharaja Complex and his sister used to talk on mobile with petitioner and also used to go to the Maharaja Complex in the shop of Amit Kumar for repairing her mobile. Statement recorded under Section 161 Cr.P.C. in which she stated that while she going to shop of the petitioner she became acquainted with petitioner and he had also assured her for job and started talking to her and due to that reason friendship developed. Petitioner is major and the medical examination report also falsifies any allegation of sexual assault. Petitioner is in custody since 21.05.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna, in connection with Kotwali P.S. Case No. 307 of 2018.

(S. Kumar, J)

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