

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21195 of 2018

Arising Out of PS. Case No.-61 Year-2017 Thana- BIDUPUR District- Vaishali

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Banti Kumar, Son of Navin Kumar @ Navin Kumar Gupta, resident of
Village- Bidupur, P.S.- Bidupur, District- Vaishali at Hajipur (Bihar).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar, Advocate

For the Opposite Party : Mr. Sri Sunil Kumar Pandey (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Bidupur P.S. Case No. 61 of 2017, registered for the offences
punishable under Sections 363/366(A) of the Indian Penal Code.

Allegedly, the petitioner and other F.I.R. named
accused persons kidnapped the minor daughter of the informant,
boarded her in the Scorpio vehicle and took away towards Hajipur.

Submission is of false implication and that for the
occurrence of 26.02.2017 the information at the P.S. was received
on 01.03.2017 after delay of five days, the statement of the victim
girl has been recorded under Section 164 Cr.P.C. wherein she has
specifically stated that the accused persons did nothing except
torture and they freed her. Similarly situated co-accused Pintu
Kumar @ Chintu Kumar, Bittu Kumar Navin Kumar @ Navin



Kumar Gupta and Anita Devi have already been allowed pre-arrest bail by another co-ordinate Benches of this Court. The case of the petitioner is similar, further the victim girl has filed petition in the court of A.C.J.M. 1st Vaishali, Hajipur stating that she was not kidnapped rather she went away out of her own sweet will and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that similarly situated co-accused have been allowed pre-arrest bail

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 Additional Chief Judicial Magistrate-XIV, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 61 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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