

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44217 of 2018

Arising Out of PS.Case No. -80 Year- 2017 Thana -MAHESHKHUNT District- KHAGARIA

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Roshan Kumar, Son of Angad Yadav, Resident of Village- Rajajan, P.S.-
Mansi, District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 28-08-2018

Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 21.05.2018 in connection with Maheshkhunt P.S. Case No.80 of 2017 registered for the offence under Sections 363, 366A, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the only allegation which has come against the petitioner is that the victim girl in her statement under Section 164 Cr.P.C. has named the petitioner as the cousin brother of the friend of the main accused Pallav Kumar, who is alleged to have provided room at Dehradun. It is further submitted that save and except this statement, there is no material in the case



diary to implicate the petitioner.

Learned counsel for the State after perusal of the case diary submits that the petitioner is the cousin brother of the friend of the main accused. It is further submitted that the girl under Section 164 Cr.P.C. has named the petitioner as the cousin brother of the friend of the main accused who has provided room at Dehradun. Thus, he is not entitled to the privilege of bail.

Having considered the entire facts and circumstances and after consideration of the fact that save and except the bald statement made under Section 164 Cr.P.C. regarding the petitioner having provided a room and the petitioner having no role either before or after the kidnapping, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of Ms. Ankita Jaiswal, Judicial Magistrate-1st Class, Khagaria, in connection with Maheshkhunt P.S. Case No.80 of 2017.

(Anjana Mishra, J)

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