

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39945 of 2018

Arising Out of PS. Case No.-146 Year-2018 Thana- JAHANABAD District- Jehanabad

Kundan Kumar @ Fudan, Son of Baban Prasad Mahto, Resident of Village-
Balram Sarai, Police Station- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 17-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Jehanabad P.S. Case No. 146 of 2018 registered for the offence punishable under Sections 363, 366(A) of the Indian Penal Code.

Informant is the brother of victim, who in his written complaint has stated that on 15.02.2018 at about 1.15 PM he alongwith his minor sister Sapna Kumari, aged about 17 years were waiting for the tempo for going to their house after finishing Intermediate examination of his sister. In the meantime, one unknown person came there and took away his sister forcibly on a motorcycle and fled towards Ghosi.



During course of search he came to know that Kundan Kumar had kidnapped his minor sister.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that there was love affairs between petitioner and victim from long and she herself had gone with the petitioner at Haryana. Statement of victim girl was recorded under Section 164 Cr.P.C. in which she stated her age 18 years and she was forcibly taken by petitioner to Gaya and Haryana and also married her in Temple. It has been further submitted that occurrence took place on 15.02.2018 and a written complaint was lodged on 22.02.2018 without any explanation of such delay. It has been further submitted that when the victim knew about the marital status of the petitioner she has started putting pressure upon petitioner to get divorce from his wife. No external injury has been found on the person of victim. Petitioner has no criminal antecedent and he is in custody since 11.03.2018. Charge sheet has been submitted.

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 Chief Judicial Magistrate, Jehanabad, in connection
with Jehanabad P.S. Case No. 146 of 2018.

(S. Kumar, J)

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