

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5746 of 2018

Arising Out of PS. Case No.-340 Year-2017 Thana- DEEPNAGAR District- Nalanda

Md. Bansher, Son of Md. Kamru, Resident of Village- Sohdi, P.S.- Sohsarai,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Swarup Prasad
For the Opposite Party/s : Mr. SRI BINOD KUMAR 3

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 07-03-2018 Heard learned counsel for the petitioner, learned counsel
for the informant and learned counsel for the State.

Vide order dated 05.03.2018, this Court had directed or
appearance of the victim girl and the informant.

Informant is present but the victim girl is absent.

The petitioner seeks bail in connection with Deep Nagar
P.S. Case No. 340 of 2017 registered for the offence punishable
under Sections 365, 366A/34 of the Indian Penal Code.

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

It has been submitted on behalf of the petitioner that the
petitioner is innocent and has been falsely implicated in this
case. Learned counsel for the petitioner further submits that the
medical board was constituted which ascertained the age of the



victim to be 17 to 18 years. The victim girl in her statement under Section 164 of the Cr.P.C has stated that she went to Delhi to get married with the petitioner as such the story of informant that his minor girl was kidnapped by the petitioner seems to be false. Learned counsel for the petitioner further submits that the victim girl has refused her vaginal examination. Petitioner has got no criminal antecedent and is in custody since 25.11.2017.

Learned counsel for the informant vehemently opposes the prayer for bail.

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, Nalanda at Bihar Sharif** in connection with **Deep Nagar P.S. Case No. 340 of 2017.**

(S. Kumar, J)

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