

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30848 of 2018

Arising Out of P.S.Case No. -70 Year- 2017 Thana -JAMUI District- JAMUI

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Manish Kumar @ Pranav Kumar, Son of Rajeshwar Yadav @ Rajkeshwar Yadav, Resident of Village- Chandwara, Police Station- Jamui, District- Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Smt Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 06-07-2018 Heard learned counsel for the petitioner as well as learned APP for the State.

The petitioner is in custody in connection with Sessions Trial No.425 of 2017 arising out of Jamui P.S.Case No.70 of 2017 registered for an offence under section 366/34 of the IPC.

The allegation as per FIR is that this petitioner and his family members kidnapped the minor daughter of the informant with intention to perform her marriage with this petitioner.

It has been submitted that the daughter of the informant is a major girl aged about 19 years and she voluntarily left her house and so no offence under Section 366 IPC is made out. The occurrence allegedly took place on 11.02.2017 but the FIR has been lodged after a delay of one month for which there is



no satisfactory explanation in the FIR. The victim was produced before the Magistrate for taking statement under Section 164 of the Cr.P.C after two months of the occurrence where she narrated the tutored version of kidnapping. She disclosed her age as 18 years and the learned Magistrate has also assessed her age as such. The doctor has also examined the victim and he has also assessed the age of the victim in between 18 to 19 years. The petitioner is in custody since 06.05.2017 having clean antecedent.

The learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the above named petitioner 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 Additional Sessions Judge-Ist, Jamui in Sessions Trial No.425 of 2017 arising out of Jamui P.S.Case No.70 of 2017 with following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any



genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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