

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64978 of 2018

Arising Out of PS.Case No. -197 Year- 2018 Thana -SHEKHPURA District- SEKHPURA

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ABINASH KUMAR @ BITTU @ ABHINASH KUMAR Son of Satish
Pandey Resident of Village-Kamta, Police Station -Sheikhpura (Hatiyama),
Distt.-Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-11-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner seeks bail in Sheikhpura (Hathiyama) P.S.
Case No. 197/2018, registered for the offences punishable under
Sections 363, 366 and 34 of the Indian Penal Code.

Allegation is kidnapping of minor daughter of the
informant for purpose of marriage.

It has been submitted that petitioner has falsely been
implicated in this case. There is delay of three days in lodging of
F.I.R. for which no plausible reason has been given by the
informant. The Medical Board assessed the age of victim girl
between 18 to 20 years. Moreover, the victim in her statement
recorded under Section 164 Cr.P.C., has not made allegation of



sexual assault against the petitioner.

Petitioner has no criminal antecedent. He is in custody since 04.09.2018.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Hathiyama) P.S. Case No. 197/2018, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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