

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48908 of 2018

Arising Out of PS.Case No. -119 Year- 2017 Thana -SIGORI District- PATNA

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Bittu Kumar S/o Mani Bhushan Rai, R/o Vill.- Nurchak, P.S.- Sigori,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Choubey, Advocate
For the Opposite Party/s : Mr. Abhay Kumar – 1, A.P.P.
For the informant : Mr. Ajit Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 26-09-2018 Heard learned counsel for the petitioner, informant
and the State.

The petitioner seeks bail in Sigori P.S. Case No. 119
of 2017 instituted for the offence under Section 366(A)/34 of the
Indian Penal Code.

Counsel for the petitioner submits that occurrence has
taken place on 25.10.2017 in presence of mother of the victim
girl and First Information Report has been lodged on 01.11.2017
i.e. after lapse of six days. There is no allegation of any overt act
against the petitioner. It is a matter of love affair between victim
girl and the petitioner.

The statement of victim girl recorded under Section
164 Cr. P.C. has been enclosed as Annexure-2 wherein she has



stated that she lived with this petitioner for three months. The petitioner went to Bihta to meet his parents. The victim girl also accompanied him there. In the statement recorded under Section 164 Cr. P.C. the victim girl has stated her age as 17 years and court has also assessed her age to be 17 years.

In such circumstances, this Court finds that both parties were known to each other. The victim girl lived with this petitioner for three months but did not make any complain during that period. In the First Information Report also it is alleged that the girl has been kidnapped in front of her mother, but First Information Report has been lodged by father of victim girl after six days i.e. on 6.11.2016 whereas the occurrence is said to have taken place on 25.10.2017.

Counsel for the informant has appeared and opposed the prayer for bail of the petitioner. He has submitted that girl is minor. She was kidnapped by the petitioner.

Petitioner is said to be in custody since 28.05.2018.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, 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 learned Chief Judicial



Magistrate, Danapur, Patna, in connection with Sigori P.S. Case
No. 119 of 2017, subject to the condition that both the bailors will
be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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