

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63322 of 2018

Arising Out of PS. Case No.-502 Year-2018 Thana- SHEKHPURA District- Sheikhpura

Masudan Ram Son of Dwarika Ram, Resident of Village- Kutubchak, Police
Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-12-2018 A supplementary affidavit has been filed during
the course of argument.

Let it be taken on record.

Heard the learned counsel for the petitioner and
the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sheikhpura P.S. Case No. 502
of 2018 dated 08.07.2018 instituted for the offences
under Sections 366A/34 of the Indian Penal Code.

The father of the victim girl, who is stated to be
14 years of age, has alleged that his daughter went
missing since 06.07.2018. He has further stated in the
FIR that the son of the petitioner viz. Dinesh Kumar had
in the past been on talking terms with his daughter and
therefore he harboured apprehension that aforesaid



Dinesh Kumar has kidnapped her. He has further alleged that perhaps the petitioner, who is the father of the aforesaid Dinesh Kumar has given him Rs. 4000/- for him to run away with the victim girl.

During the course of investigation, the girl (daughter of the informant) was recovered who gave her 164 statement stating that she ran away from her house and was begging at the railway station. One of the villagers met her and informed that her father has filed a false case against Dinesh Kumar and his father.

It is really surprising to note that Mr. Devendra Prasad Singh, learned advocate who has filed *Vakalatnama* in favour of the informant, while opposing the prayer for bail of the petitioner has stated that the girl be permitted to go with one Priti. When this court wanted to know as to who Priti was, the learned advocate had no answer. I am surprised at the manner in which *Vakalatnama* has been accepted by the learned advocate without any instruction to be passed on to the court.

In any view of the matter, considering the aforesaid circumstances, the petitioner above named is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy



of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 502 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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