

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45204 of 2018

Arising Out of PS. Case No.-71 Year-2018 Thana- LADANIA District- Madhubani

Kamlesh Kumar Choudhary, Son of Sri Binod Kumar Choudhary, Resident of
Village- Mahtha, P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 01-08-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Ladaniya P.S. Case No.71 of 2018 registered for
the offence punishable under Sections 363/365 of the Indian
Penal Code.

Father is the informant of the victim girl, who in his
written complaint has stated that his daughter Laxmi Kumari
aged about 14 years has been kidnapped on 13.04.2018 when
she had gone to attend the call of nature and thereafter did not
return and even after much search she could not be located. It
has been further alleged that he has come to know one co-
villager Alok Kumar Thakur and Kamlesh Kumar Choudhary



(petitioner) have kidnapped her. The girl has been recovered by the police and in her statement under Section 164 of Cr.P.C made before the Magistrate, she has made allegation against Alok Kumar Thakur and one another person that they took her on his motorcycle and thereafter both went to Delhi, where his uncle saw the victim and brought him back to Jainagar railway station from where she came to her house. The girl was examined by the Medical Board and there is no sign of any sexual assault or rape.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The girl in her 164 statement has not named him and he has got clean antecedent and he is in custody since 16.04.2018.

Learned counsel for the informant has vehemently opposed the grant of regular bail to the petitioner because the girl is minor aged about 14 years and on such bail should not be granted to this petitioner.

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 A.C.J.M.- IV, Madhubani in connection with Ladaniya
P.S. Case No.71 of 2018.

(S. Kumar, J)

Veena/manoj

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