

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.7792 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- ASHTHAWAN District- Nalanda

SANJEEV KUMAR @ SANJEET KUMAR Son of Sri Banwari Das
Resident of Village- Oiyaw, P.S. Asthawan, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 01-03-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Asthawan P.S. Case No. 129 of 2018 registered
for the offence punishable under Sections 366(A) of the Indian
Penal Code.

Allegation against petitioner is of kidnapping the
minor daughter of the informant namely, Gudiya Devi.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. It has
been further submitted that FIR was registered after seven
months of alleged occurrence. The victim girl has been
recovered by the police and her statement was recorded before



the Magistrate under Section 164 of the Cr.P.C., in which she has not stated anything regarding commission of rape. The Medical Board has assessed the age of the victim girl as 20-21 years. Petitioner is in custody since 25.10.2018 .

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 Additional District & Session Judge-III, Nalanda at Biharsharif, in connection with Asthawan P.S. Case No. 129 of 2018 subject to the conditions that:-

(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 and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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