

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10673 of 2019

Arising Out of PS. Case No.-56 Year-2018 Thana- NTPC District- Bhagalpur

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MTHUN TANTI Son of Singeshwar Tanti Resident of Dariyapur, P.S.-
Balbadda, Distt- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Swapnil Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.10.2018 in connection with N.T.P.C. P.S. Case No. 56 of
2018 for offences punishable under Section 366-A of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his 16 year old daughter had gone for coaching and did not
return. It is alleged that one Nitish Kumar, with whom she had
telephonic conversation, has kidnapped her.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case. He submits that
the victim lady in her statement under Section 161 Cr.P.C.



before the police has stated her age to be 18 years and had gone out of her own sweetwill with the petitioner with whom she has married and is now pregnant. Her statement before the Magistrate under Section 164 Cr.P.C. also notes her age to be 18 years as also stated by her and Medical certificate of the victim lady also suggests her age to be above 17 years. It is further alleged by the victim lady that she has gone out of her own freewill with the petitioner, married him and is pregnant and after release of the petitioner she wishes to stay with him.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Chief Judicial Magistrate, Bhagalpur, in connection with N.T.P.C. P.S. Case No. 56 of 2018.

(Nilu Agrawal, J)

Rajesh/-

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