

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21352 of 2019

Arising Out of PS. Case No.-119 Year-2001 Thana- HISUWA District- Nawada

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GOPAL SINGH Son of Sri Tanik Singh Resident of Village - Malikpur, P.S.-
Silao, District - Nawada Presently residing of Mohalla Professor Colony
Hisua, P.S.- Hisua, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-04-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in connection with Hisua P.S.

Case No. 119 of 2001 for offences punishable under Sections

366/34 of the Indian Penal Code but subsequently, Section 376

of the IPC has also been added.

The prosecution case, as lodged by the informant, is

that he had good relations with one Krishna Singh and his

family was living as neighbours. On 16.12.2001 the wife of

Krishna Singh came and had taken his minor daughter Sashi

Kala, who did not return. It is alleged that the entire family of

the said Krishna Singh including the petitioner had kidnapped

the minor daughter of the informant for the purpose of



marriage.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and the victim girl is a major, who has stated in her statement under Section 164 Cr.P.C. before the Magistrate that the petitioner and the victim girl are now husband and wife. The said statement has been recorded on 11.01.2002, which is Annexure-2 to the present application wherein the age of the victim girl was assessed as 19 years by the learned Magistrate. Petitioner undertakes to cooperate in the investigation/trial and not to induce witnesses or tamper with the prosecution evidence, who is languishing in judicial custody since 11.02.2019.

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

Considering the nature of allegations 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 Judicial Magistrate-1st Class, Nawada, in connection with Hisua P.S. Case No. 119 of 2001, subject to the condition that one of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file
an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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