

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27238 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- AMARPUR District- Banka

VICKY DAS Son of Late Pradip Das Resident of Village - Amarpur, P.S.-
Amarpur, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Raj Kishore Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned APP for the State.

The petitioner seeks bail in Amarpur P. S. Case No.
293 of 2018 instituted for the offence under Section(s) 366A
and 34 of the Indian Penal Code.

In the written report, it is alleged that 14 years old
daughter of the informant had earlier been kidnapped by the
petitioner for which Amarpur P.S. case no. 239 of 2018 was
registered, in which , daughter of the informant was handed over
to her after recovery and she was living in the house. It is
further alleged that on 30.5.2018 when the informant was not
inside the house this petitioner again came to her house and
forcibly kidnapped her daughter.

Learned counsel for the petitioner submits that victim



has voluntarily gone with the petitioner. She has stated her age to be 19 years in her statement given U/s 164 Cr.P.C, which is annexed as Annexure-2 to bail petition . The Court has assessed her age to be 18 years. She has not levelled any allegation of kidnapping against this petitioner.

Learned counsel for the informant has appeared and opposed the prayer for bail. He has submitted that victim girl is minor. He further submits that as per School Leaving Certificate her age is 13 years.

This Court finds the age of the victim girl to be 19 years from her statement recorded U/s 164 Cr..C. and the Court has assessed her age to be 18 years.

Petitioner is in custody since 8.1.2019.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Banka, in connection with Amarpur P. S. Case No. 293 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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