

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43763 of 2019**

Arising Out of PS. Case No.-142 Year-2018 Thana- BHAWANIPUR District- Purnia

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KRISHNA KUMAR, aged about 23 Years, Gender-Male, Son of Manoj Sahni, Resident of Village- Sudamanagar, Bhawanipur, P.S.- Bhawanipur, District- Purnea.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner : Mr.Bijendra Kumar Singh, Advocate.  
For the Opposite Party : Mr.Syed Ehteshamuddin, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      16-07-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in custody since 29.12.2018 in a case for the offence registered under Sections 366(A)/34 of the IPC.

The prosecution story, in brief, is that 20.06.2018, the informant had gone to bring Kirana Items alongwith his wife from Bhawanipur Bazar. When he returned house and not found his daughter Kajal Kumari then family members told that she had gone to Banana field on which all the family members searched her, but could not trace out. He Checked Mobile and then came to know that several calls were come from Mobile No. 7488340668 and further learnt that such Mobile was



belonging to Krishna Kumar (petitioner). He went to the house of Krishna Kumar and found that he was also out from his house but his family members abused him. He has apprehension that F.I.R. named accused persons may commit something wrong with his daughter.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The victim had love affairs with the co-accused Gautam Kumar. She had left the house out of her own will. Later on, under influence of her parents, she has made allegation in her 164 Cr.P.C. statement. There is no independent witness to support the allegation made at the time of occurrence. No protest is made out by the victim. Other co-accused has been granted bail by this Court vide Cr. Misc. No. 4799 of 2019 under order dated 15.04.2019 vide Annexure-3 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 3<sup>rd</sup> Additional Sessions Judge, Purnea, in connection with S.T. No. 139 of 2019/CIS No. 139 of 2019, arising out of Bhawanipur P.S. Case No. 142 of 2018.

**(Sudhir Singh, J)**

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