IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46601 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- SHANKARPUR District- Madhepura

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SUMAN KUMAR Son of Indra Narayan Yadav Resident of Village-Rampatti, P.S-Kumarkhond (Belari Out Post), District-Madhepura.

... ... Petitioner/s

Versus

The State of Bihar Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 29-07-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Shankarpur P.S.Case no.36 of 2019 , registered for offences punishable under Section 366(A)/34 of the Indian Penal Code.

Allegation as per the FIR is of kidnapping of the minor daughter of the informant by one accused Md. Fida Hussain , however, it appears that she has been recovered and in her statement she has stated that she has married with the petitioner on her own sweet-will.

Submission of the learned counsel for the petitioner is that there is nothing available on the record to show that he has forcibly kidnapped the daughter of the informant and in the medical report her age has been assessed as 15-17 years.

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Moreover no other overtact has bee mentioned in the statement under Section 164 of the Cr.P.C.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Madhepura, in connection with Shankarpur P.S.Case no.36 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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