

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58985 of 2019

Arising Out of PS. Case No.-202 Year-2017 Thana- CHERIYA BARIYARPUR District-
Begusarai

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SUMANT KUMAR Son of Ashok Singh Resident of Village- Manjhaul, P.S.-
Cheriya Bariyarpur, District- Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abul Kalam, Adv
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 27-09-2019 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 363,366A/34 of the Indian

Penal Code.

Allegation against the petitioner is that he

kidnapped to the daughter of the informant. In her statement

under Section 164 Cr.P.C., the victim supported the allegation of

kidnapping, however, subsequently she filed a petition before

the learned court below that according to school certificate her

date of birth is 07.04.1998 and she had voluntarily married with

the petitioner. Affidavit sworn in support of the marriage was

also enclosed with the petition. Petitioner is in custody since



03.01.2019.

Earlier prayer for bail of the petitioner was refused by a Coordinate Bench of this Court on 22.04.2019 only for the reason that the petitioner did not produce the victim girl on the direction of the Court.

Submission is that the victim under pressure of the parents is not ready to appear before the Court.

Considering the entire facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sessions Trial No.280 of 2019 arising out of Cherya Bariyarpur Police Station Case No.202 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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