

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58495 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- DARBHANGA SADAR District-
Darbhanga

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SANTOSH KUMAR S/O Hukumdeo Yadav @ Hukdeo Yadav R/O Village-
Laxmipur Atihar, P.S.- Sadar, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar Through The Director General Of Police, Government Of
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Ganguli
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offence punishable under Section 366A of the Indian Penal
Code.

Allegation is of kidnapping of the minor daughter of
the informant.

Submission is that in the first statement, recorded
under Section 164 Cr.P.C., one of the victims stated that she had
love affairs with the petitioner and she has married with the
petitioner. Thereafter, under pressure of the parents she changed
her statement in the second statement.



Learned counsel for the informant opposed the prayer for bail on the ground that on the date of occurrence the victim was a minor.

Since a minor is competent witness and the victim has not alleged anything against the petitioner in the first statement and stated that she has voluntarily married with the petitioner, 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 the learned Court-below where the case is pending in connection with Darbhanga Sadar P.S. Case No.69 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./-

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