

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59934 of 2019

Arising Out of PS. Case No.-217 Year-2017 Thana- CHANPATIA District- West Champaran

DHARMESH KUMAR, Son of Bhikhari Pandit @ Bhikhari Parit Resident of
Village - Awaraiya, P.S.- Banuchhapar, P.S.- Bettiah Muffasil, (Wrongly
Stated in the F.I.R. as Chanpatiya), dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Ataur Rahman

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Chanpatiya P.S. Case no. 217 of 2017, registered under
Sections 363 and 366(A) of the Indian Penal Code.

The accusation is that regarding kidnapping of
daughter of informant by the petitioner with the help of
Bhikhari Pandit and Vicky Kumar, Bettiah Town (Kalibagh)
P.S. Case No. 316 of 2017 was instituted. Thereafter, in the
evening of 12.06.2017, daughter of the informant, again,
kidnapped by the petitioner and other F.I.R. named accused,
while she was moving at her door.

Learned counsel for the petitioner submits that, in
fact, petitioner and his family members have falsely been



implicated in this case mere on suspicion. Further submission is that the statement of daughter of informant was recorded under Section 164 of Cr.P.C. in which she stated that at the instruction of her mother, she left the house, because there was fear of assault at the hand of her father. Further submission is that the age of the victim in medical examination is assessed in between 17 to 19 years.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-V, Bettiah, West Champaran in connection with Chanpatia P.S. Case No. 217 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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