

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1364 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- KATHAIYA District- Muzaffarpur

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SURAJ KUMAR@SURAJ SAH son of Prabhu Sah, R/o village- Hardi, P.S.-
Kathaiya, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-01-2019 Heard the parties.

Petitioner seeks pre-arrest bail in Kathaiya P.S.Case
No.46 of 2018 registered under Sections 366, 365, 366(A) of
I.P.C.and Sections 8,12 of the POCSO Act.

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

Submission on behalf of the learned counsel for the
petitioner is that there was love affairs between the petitioner
and the daughter of the informant which will appear from the
statement of the victim girl made under Section 164 of Cr.P.C.
in which her age is assessed as 20 years and she has not
supported the prosecution case.

Heard the learned A.P.P. also who opposed the prayer
for bail on the ground that the girl was minor.



Having heard both sides and in view of the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the learned court below within six weeks from today be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of A.D.J.1st,-cum-Special Judge,, POCSO Act, Muzaffarpur, in Kathaiya P.S.Case No.46 of 2018, G.R. No.26 of 2018 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition that the bailors must be of local having sufficient movable and immovable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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