

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 81054 of 2019**

Arising Out of PS. Case No.-114 Year-2019 Thana- ATHMALGOLA District- Patna

VIKKI KUMAR Son of Akalu Sao Resident of Village- Kalyanpur, P.S.-
Athmalgola, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 10-12-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 366A/34 of Indian Penal Code.

Petitioner's counsel submits that the statement
(Annexure 2) of the victim girl recorded under Section 164 of
Criminal Procedure Code reveals that the petitioner has not
harmed the victim in any way even during the alleged captivity
and that he himself had brought her back to Barh. Petitioner's
counsel further submits that the petitioner and the informant
side are co-villagers and agnates and there is subsisting land
dispute between the parties. Petitioner has also been made
accused in Athmal Gola Police Station Case No 110 of 2019



lodged by the same informant in which he is already on bail.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's counsel.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Barh, District - Patna in Athmalgola Police Station Case No 114 of 2019 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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