

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84244 of 2019

Arising Out of PS. Case No.-274 Year-2019 Thana- BARHIYA District- Lakhisarai

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JITENDRA PATEL @ JITENDRA KUMAR, S/o Nandan Sharma, Resident
of Village- Azad Nagar, P.S.- Piri Bazar (Abhaipur), Distt- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
06.11.2019 in a case registered for the offence punishable
under Section 366A of the Indian Penal Code.

The prosecution case as per the written report of
Sant Kumar submitted before the S.H.O., Barahiya Police
Station is to the effect that on 19.10.2019, the niece of the
informant came to the house of the informant and on



22.10.2019 she went to appear in Intermediate Examination, but she did not return. It is alleged that the petitioner enticed her away.

It is submitted by learned counsel for the petitioner that the victim in her statement recorded under Section 164 of the Cr. P.C. claims herself to be aged about 18 years and has stated that she on her own has performed marriage with the petitioner. The victim has also denied the factum of kidnapping and this fact has also been recorded in the impugned order. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the thrust of accusation is against the petitioner.

Considering the fact that the victim has denied the factum of kidnapping in her statement recorded under Section 164 of the Cr.P.C. and the said fact has been recorded in the impugned order, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned CJM, Lakhisarai, in connection with Barahiya P.S.
Case No.274 of 2019.

(Dinesh Kumar Singh, J)

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