

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64890 of 2019

Arising Out of PS. Case No.-170 Year-2015 Thana- BARARI District- Katihar

Jawala Kumar Son of Ranjit Pd. Sah R/O - Sisiya, P.S.- Barari, District-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nityanand

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 04-03-2020 The petitioner seeks bail in connection with Barari P.S. Case No. 170 of 2015 dated 14.09.2015 instituted for the offences under Sections 363, 366(A)/34 of the Indian Penal Code.

The minor daughter of the informant is alleged to have been taken away from her home while she was sleeping.

Regard being had to the fact that the victim girl has not been recovered as yet and that the petitioner has been named in the FIR, I am not inclined to grant bail to the petitioner.

Accordingly, prayer for bail of the petitioner is rejected.

However, taking into account the statement made by the petitioner in the present bail petition that



the daughter of the informant was admittedly married twice before lodging of the present case and such statement not having been brought to notice of the court below while moving bail petition, this Court observes that in case the petitioner so desires he may move for bail before the court below again, bringing all these facts and in that event the court below shall take into account all necessary facts and pass a reasoned order without being either prejudiced or encouraged by the fact that the present petition has been dismissed or a liberty has been given to move the court below afresh on new set of facts respectively.

(Ashutosh Kumar, J)

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