

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15871 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- DHURAIYA District- Banka

GAUTAM KUMAR Son of Somesh Tatava Resident of Village - Pachuakitta,
P.S.- Basantrai, Distt.- Godda (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Md. Aarif, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 14-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A, 307 and 34 of the Indian Penal Code.

As per the prosecution case, the minor daughter of the informant was kidnapped by the accused persons including the petitioner herein.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C wherein she has categorically stated that she went with Vikash Kumar @



Vikram Tanti out of her own free will, married him and gave birth to a daughter from the said marriage. It is submitted that the petitioner has not been named by the daughter of the informant in her statement under section 164 Cr.P.C. He is in custody since 10.6.2020, he has no criminal antecedent and charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the contents of the statement of the daughter of the informant under section 164 Cr.P.C, the Court directs the petitioner to be enlarged on bail in connection with Dhuraiya P.S. Case no. 135 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge VI, Banka.

(Partha Sarthy, J)

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