

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33389 of 2020

Arising Out of PS. Case No.-430 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

KAMLESH KUMAR, Son of Shankar Thakur Resident of Village - Rampur
Asli, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Md. Nagir Ansari, A.P.P

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-03-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office vide its notes dated 07.12.2020, within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sahebganj P.S. Case no. 430 of 2019, registered under Sections 363 and 366(A)/34 of the Indian Penal Code.

The accusation is of kidnapping of daughter of informant, aged about 17 years, by Rambabu Kumar and his mother Maheshwari Devi with the help of Ravindra Kumar, Santosh Kumar, Akindra Mahto, Brajesh Kumar, Punam Devi, Lakhindra Mahto and Kamlesh Kumar (Petitioner).



Learned counsel for the petitioner submits that, in fact, after lodging the present case, the victim was recovered from the house of Lakhindra Mahto. Further submission is that, in fact, Madhu Kumari, niece of the petitioner, lodged Sahebganj P.S. Case No. 167 of 2008 for the offence punishable under Section 376 of the Indian Penal Code against Shyam Kumar, nephew of the informant of the present case, due to that reasons, the informant managed to implicate the petitioner in the present case and on his instruction, the victim stated the name of petitioner in her statement recorded under Section 164 Cr.P.C. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Acting Chief Judicial Magistrate-I, West Muzaffarpur in connection with Sahebganj P.S. Case No. 430 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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