

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3369 of 2021**

Arising Out of PS. Case No.-89 Year-2020 Thana- PANCHRUKHI District- Siwan

Kanhaiya Kumar @ Kanhaiya Kumar Sah S/O Daroga Sah Resident Of
Village Hardia, P.S. Pachrukhi, District Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 06-04-2021 Heard the parties in virtual Court proceeding.

Let the defects, if any, be removed within two weeks
of the start of the physical Court.

The petitioner is languishing in custody for the
offences punishable under Sections 363/366A/370 of the Indian
Penal Code.

The daughter of the informant was found missing
from the house. Later on she was recovered and in her
statement under Section 164 Cr.P.C. she stated that she had gone
along with the petitioner and had married with the petitioner and
she is pregnant from the petitioner.

The impugned order reveals that according to school
certificate her date of birth was 18.04.2002 whereas occurrence
allegedly took place on 16.04.2020.



Considering the fact that the victim was a major on the date of her statement under Section 164 Cr.P.C. and she has not alleged any offence committed by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Sessions Trial No.160 of 2020, arising out of Pachruki P.S. Case No.89 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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