

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31102 of 2024

Arising Out of PS. Case No.-40 Year-2023 Thana- MASHRAK District- Saran

Mantu Sai S/o- Mahjid Sai Resident of Village- Samastpura PS- Mashrak
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Md. Anis Akhtar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 26-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mashrak P.S. Case no.40 of 2023 registered under sections 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the informant states that his daughter who had gone out to ease herself was kidnapped by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. wherein she has stated that she went with the petitioner out of her own volition. It is further submitted that though the age of the daughter of the informant in the statement



under section 164 Cr.P.C. has been assessed to be 15 years however, in the medical examination her age was assessed to be 20 years and she is a major. The petitioner is in custody since 10.5.2023 and chargesheet has been submitted in the case. He has no criminal antecedent.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the age of the daughter of the informant having been assessed to be 20 years and the contents of her statement under section 164 Cr.P.C. wherein she states that she went with the petitioner out of her own volition together with the petitioner having remained in custody for more than a year since 10.5.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Mashrak P.S. Case no.40 of 2023 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 Chief Judicial Magistrate, Saran at Chapra, District Saran.

(Partha Sarthy, J)

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