

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39194 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -
MOTIHARI MUFASIL District- EASTCHAMPARAN(MOTIHARI)

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Manoj Kumar @ Manoj Ram, S/o Jalim Ram, Resident of
village- Jamla, P.S.- Muffasil Motihari, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Chandra Sahni, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Muffasil Motihari P.S. Case No.133 of
2015, disclosing offences under Sections 363 and
366A/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the
petitioner, submits that after institution of the First
Information Report, the victim herself had filed an
application before the learned Sub-Divisional Judicial
Magistrate, Sadar Motihari, on 04.06.2015, to the effect
that she and the petitioner had married in a temple and



on the very next date, i.e., on 05.06.2015, under the pressure of her family members she changed her statement and made altogether a different statement, recorded under Section 164 of the Code of Criminal Procedure. He further submits that the significant contradiction between the First Information Report, implicating different persons, and the statement of the victim, recorded under Section 164 of the Code of Criminal Procedure, is indicative of the false accusation of the petitioner. He further submits, referring to Annexure-4 to this application, that the Medical Officer, Sadar Motihari, East Champaran, found the age of the victim between 17 ½ years to 18 ½ years.

Keeping in view the submission as above, this application is allowed. Let the petitioner, abovenamed, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran** in connection with **Muffasil Motihari P.S. Case No.133 of 2015 (G.R. No.2318/2015)**, subject to the condition laid down under Section 438 (2) of the Code

of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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