

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43632 of 2014

Arising Out of PS.Case No. -24 Year- 2014 Thana -JALALPUR District- SARAN

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Rabindra Kumar Son of Ram Dayal Mahto Resident of Village-Sakadih,
P.S.-Jalalpur, District-Saran, Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Ganesh Pd. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 04-02-2015 Heard learned counsel for the parties.

The petitioner facing prosecution for offence under sections 363 and 366A of the Indian Penal Code and having no criminal antecedent would be entitled for grant of bail keeping in view that the age of the girl has been determined to be 18-19 years and the doctor has also found no evidence of any rape on her person.

That being so, the petitioner, Rabindra Kumar, shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Saran, Chapra in Jalalpur P.S.Case No. 24/2014 (G.R.No. 803/2014), subject to the following conditions:

(i) That both the bailors will be a close relative of

the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will give an undertaking that he will receive the police papers on the given date and be present on the date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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