

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35751 of 2015

Arising Out of PS.Case No. -145 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

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1. Raushan Kumar @ Rawsan Kumar, Son of Sri- Sidhnath Choudhary,
Resident of village- Basdiha Tola, P.S.- Dinara (Bhans), District-
Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Dr.M.K.Gautam(App)

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
ORAL ORDER

2 28-08-2015

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail by the accused-petitioner, namely, Raushan Kumar @ Rawsan Kumar, in connection with Dinara (Bhans) Police Station Case No. 145 of 2015, under Sections 366A/504/506/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Pritish Kumar Lal, learned Counsel for the petitioner, and Dr. M.K. Gautam, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted on behalf of the petitioner that medical examination of the alleged victim has shown that her age is between 18 and 19 years and in her statement under

Section-164 Cr.P.C., she has stated to the effect that she had left her parental house on her volition.

In view of the fact that the accused above-named has been in custody since 18.05.2015 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioner in custody, and in view also of the fact that the perusal of the materials available on record does not reveal that the accused-petitioner's liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of Mr. Dipak Kumar, Judicial Magistrate, 1st Class-cum-Additional Munsif, Bikramganj, in connection with Dinara (Bhans) Police Station Case No. 145 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions,
this bail application shall stand disposed of.

(I.A. Ansari, ACJ)

K.C.jha/-

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