

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43016 of 2015

Arising Out of PS.Case No. -107 Year- 2013 Thana -NANHPUR District- SITAMARHI

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Ashok Rai Son of Raj Mangal Rai, resident of Village- Bairia, P.S. Aurai,
District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar, Advocate.

For the Opposite Party : Mr. Rana Randhir Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 09-09-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner wants to renew his prayer for bail which was earlier rejected by order dated 23.07.2014 vide Cr. Misc. No. 30888 of 2014 on the ground that the victim girl, namely, Jyoti Kumari now has already been examined as P.W. 8 in the Sessions Trial wherein now she has not supported the allegation of kidnapping rather she has stated that she is living in the family of accused happily and she has been blessed with a son aged one year. The accused Ashok Rai is her husband. She has further stated that under pressure of her father she has given statement under section 164 Cr. P.C. It is also submitted that the petitioner was given liberty to renew his prayer for bail after examination of the victim girl in this case.

The learned A.P.P. under the changed circumstances did not oppose prayer for bail.

In the facts and circumstances as stated above, considering the evidence of victim girl (P.W. 8) now the petitioner is directed to 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 A.D.J. 1st Sitamarhi in S.Tr. No. 506 of 2014 arising out of Nanpur P.S. Case No. 107 of 2013, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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