

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5760 of 2016

Arising Out of PS.Case No. -70 Year- 2015 Thana -GARHPURA District- BEGUSARAI

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MD. MOUNU @ MONU @ MD MONU Son of Md. Shamim, Resident
of Village - Garhpura, P.S. - Garhpura, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Suman Kumari Singh(App)

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

4 01-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Garhpura
P.S. Case No. 70 of 2015 registered for the offences punishable
under Sections 363, 366(A)/34 of the Indian Penal Code.

The statement of the victim girl has been recorded
under Section 164 Cr.P.C. wherein, she has alleged that the
petitioner, co-accused Vikki and Rakesh kidnapped her and further
caused threats, Vikki was telling to his friend to kill her.

Submission is of false implication and that the victim
has not alleged regarding any sexual harassment, she was safely
released and she came to her house at her own, the prosecution
story and the statement of the victim girl appears not probable and

reliable, as a matter of fact, the victim girl was having love affair with Vikki and she went with Vikki out of her own sweet will and thereafter, she returned and as the petitioner is the friend of Vikki, has been implicated, resulting he is suffering in custody since 14.11.2015.

The learned A.P.P. submits that victim has not alleged regarding any sexual harassment but she is minor.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Garhpura P.S. Case No. 70 of 2015 subject to the conditions that one of the bailors must be 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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