

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50056 of 2015

Arising Out of PS.Case No. -201 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

1. Arjun Mahto Son of Ganaur Mahto, Resident of village- Manika Bujurg,
P.S.- Sarairanjan, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. R.P.S Singh (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 17-03-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 328, 363, 365, 366 and 368 of the I.P.C

Allegedly, the informant boarded in a train which was going to Delhi after thinking that the said train will go to Singhia at the instigation of the petitioner and thereafter the petitioner provided a cup of tea resulting she became senseless and she was brought in a house where she was kept for some days. The informant any how informed her husband through mobile of another girl and then her husband came with police and recovered the informant.

Submission is of false implication and that at the request of the informant she was provided shelter, the informant

demanded a sum of Rupees one thousand for purchasing the cloths of her children but the petitioner denied to give money and as such the informant and her husband implicated him falsely, there is contradiction in the statement recorded under section 164 Cr.P.C. and as such the petitioner who is suffering in custody since 26.06.2015 deserves sympathetic consideration as the informant has not alleged regarding any sexual harassment by the petitioner.

The learned A.P.P. fairly submits that the petitioner by remaining in custody has been sufficiently punished.

In the facts and circumstances as stated above, 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 Sri Nitin Kaushik, J.M. 1st Class- Cum- A.M-2, Civil Court, Samastipur in Tajpur P.S. Case No. 201 of 2015, 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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