

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2585 of 2016

Arising Out of PS.Case No. -770 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Chintu Choudhary Son of Manohar Choudhary @ Manoj Kumar Jaiswal
R/o Mohalla Gangjala Near Fire Brigade Office in front of N.C.C Office
P.S. Saharsa (Sadar), District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha

For the Opposite Party/s : Mr. Umesha Nand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 30-01-2016 Supplementary affidavit is filed on behalf of the
petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The statement of victim has been recorded u/S 164 of
the Cr.P.C. in which, she specifically, stated that she, voluntarily,
left her home and solemnized her marriage with the petitioner. The
victim was major at the time of alleged occurrence, which is
evident from perusal of the first information report itself.

There is nothing in the statement of victim to show
that she was allured or enticed by the petitioner to leave her home
but in spite of the above-said facts, the learned Ist Additional

Sessions Judge, Saharsa without applying his judicial mind, rejected the prayer for bail of the petitioner, stating that the alleged act is against the society.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Saharsa (Sadar P.S. Case No. 770 of 2015 to the satisfaction of learned Chief Judicial Magistrate, Saharsa.

A.K.V./- **(Hemant Kumar Srivastava, J)**

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