

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32038 of 2016

Arising Out of PS.Case No. -96 Year- 2016 Thana -ROHTAS District- SASARAM (ROHTAS)

Devendra Chaudhary @ Pampul @ Dharmendra Chaudhary, S/o Lallan Chaudhary, Resident of Village- Shivpur (Uchaila)P.S. Rohtas , District Rohtas. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-09-2016

Heard learned counsel for the petitioner and the

learned counsel representing the State.

The petitioner seeks bail in connection with Rohtas P.S Case No.96 of 2016 registered for the offences punishable under Sections 498, 376, 354/34 of the Indian Penal Code.

Allegedly, the petitioner and co-accused Bikrant Kumar, took away Manisha Kumari, the daughter of the informant from her in-laws house with an intention to marry with her and to develop illicit relationship thereafter when pressure was given to their family members, both brought Manisha Kumari and kept her for whole night but on 13.05.2016 again in the evening the petitioner Devendra Chaudhary was trying to take away Manisha Kumari, but was caught by the villagers and was handed over to the police.

Submission is of false implication and that the victim girl is habitual in fleeing away with anyone, resulting, her

statement has not been recorded under section 164 Cr.P.C. or his medical examination has not been done which is evident from para 27, 30, 37 & 47 of the case diary and after realizing the truth, the informant has filed compromise petition also and, as such, he deserves sympathetic consideration.

Learned A.P.P. fairly submits that the victim did not turn up for her examination and medical examination.

In the facts and circumstances stated above, considering the materials collected during investigation the petitioner shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri Kavindra Kumar, learned Judicial Magistrate 1st Class, Dehri-on-sone, District Rohtas, in connection with Rohtas P.S. Case No. 96 of 2016, 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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