

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33538 of 2016

Arising Out of PS.Case No. -743 Year- 2015 Thana -TURKAULIYA
District- EASTCHAMPARAN (MOTIHARI)

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Bikram Mukhiya son of Sharma Mukhiya, resident of Village- Siswa,
P.S.- Banjariya, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 29-08-2016

Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 365, 366A, 504 and 506/34 of the Indian Penal Code registered in connection with Turkauliya P.S. Case No. 743 of 2015.

3. It is submitted that the petitioner has been falsely implicated and even according to the deposition of the so-called victim recorded under Section 164 of the Cr.P.C., she had voluntarily accompanied the petitioner and solemnized marriage with him even though the petitioner had asked her to return to her house. It is, therefore, submitted that it is not a case of enticement. The girl has claimed to be the age of 19 years.

4. Having regard to the entirety of the facts and

circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 743 of 2005, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner will be well represented on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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