

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43296 of 2016

Arising Out of PS.Case No. -339 Year- 2015 Thana -SAUR BAZAR District- SAHARSA

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1. Sujeet Kumar Yadav Son of Bijendra Yadav Resident of Village-Pipra
Bathanaha, Police Station Saur Bazar (Pararghat O.P.), District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 26-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bails arises out of Saur Bazar (Patarghat O.P.) Police Station case No. 339 of 2015, disclosing offences under Sections 363, 366A, 120B/34 of the Indian Penal Code and subsequently added Section 376/34 of the I.P.C as well Section 4 of the Prevention of Children From Sexual Offences Act.

Learned Counsel for the petitioner has taken me to the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure, which has been brought on record by way of Annexure-2 to the present application. He submits that no offence under Sections 366 or 376/34 I.P.C. is made out since the girl had voluntarily gone along with co-accused Bharat Yadav,

who has been granted regular bail by this Court vide order dated 09.12.2015, passed in Cr. Misc. No. 54780 of 2015.

Considering the above submission, this application is allowed. Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the Court below 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 the learned Chief Judicial Magistrate, Saharsa in Saur Bazar (Patarghat O.P.) P.S. case No. 339 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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