

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5981 of 2016

Arising Out of PS.Case No. -742 Year- 2015 Thana -KATIHAR District- KATIHAR

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1. Bishwajeet Chakraborty S/o Modhu Shudan Chakraborty Resident of Mohalla- Colony No.2, P.S.- Katihar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra

For the Opposite Party/s : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-02-2016

Heard learned counsel for the petitioner and learned

A.P.P. representing the State.

The petitioner seeks bail in connection with Katihar(Town) P.S. Case No. 742 of 2015 registered for the offences punishable under Sections 363 and 366(A) of the Indian Penal Code.

Allegedly, Megha Gosh @ Gudiya went for tuition but did not return and after inquiry the informant came to know that the petitioner and other named accused persons forcibly boarding in vehicle have taken away. During investigation the victim girl and the petitioner went at Katihar Town Police Station and thereafter the statement of the victim girl was recorded wherein she has not stated regarding any sexual assault committed

against her.

Submission is of false implication and that the victim girl is major, she has performed marriage with the petitioner and to this extent she has sworn affidavit also before notary public Katihar on 21.9.2015 and as such the petitioner deserves sympathetic consideration to which learned A.P.P. fairly submits that the victim girl and the petitioner went at Police Station themselves.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Katihar, in connection with Katihar (Town) P.S. Case No. 742 of 2015, 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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