

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13822 of 2016

Arising Out of PS.Case No. -111 Year- 2013 Thana -DHARHARA District- MUNGER

Satyendra Kumar Son of Bhola Yadav Resident of Village- Tali, Police Station Belaganj District Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance:

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Anita Kumari Singh, APP.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-05-2016 Heard the learned counsel for the petitioner and the learned A.P.P representing the State.

The petitioner seeks bail in connection with Dharahra P.S. Case No. 111 of 2013 registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code.

Allegedly, Minu Kumari aged 17 years, the daughter of the informant was kidnapped by co-accused Rahul and Savita. During investigation, the victim girl appeared and her statement has been recorded under Section 164 of the Code of Criminal procedure wherein she has made allegation against the petitioner and co-accused Ravikant Kumar that both committed rape with her for ten days.

Submission is of false implication and that the

statement of the victim girl appears not reliable, her statement has been recorded on 07.08.2013, she has stated that she has started working at Supriya Institute at Tekari and from there she returned. Other co-accused Ravikant, Rahul and Raghav have faced Session Trial No. 125 of 2014 and they have been acquitted and the victim and her father both were declared hostile and the petitioner is suffering in custody since 27.01.2016 after his surrender.

The learned APP submits that charge sheet has already been submitted against the petitioner and he remained absconding as his earlier prayer for anticipatory bail was rejected by this Court vide Criminal Misc. No. 19702 of 2014, but he did not surrender earlier.

In the facts and circumstances stated above, considering that similarly situated co-accused Ravikant has already been acquitted and as such, the petitioner is also 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 Chief Judicial Magistrate, Munger in connection with Dharhara P.S. Case No. 111 of 2013, subject to the conditions that one of the bailors must be a 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)

Mishra/-

U		T	
---	--	---	--