

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8962 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Rakesh Gupta Son of Late Jagadish Prasad Gupta Resident of village -
Kauri Ram, P.S. Mohania, District - Kaimur at Bhabhua

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Nawal Kishor Singh, Advocate

For the Opposite Party : Mr. Sunil Kr. Panday (App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Mohania PS case no. 02 of 2016 for allegedly having committed the offence under Sections 366(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that though an allegation has been made against the petitioner, yet the victim girl in her statement recorded under Section 164 Cr.P.C. has repudiated such allegation and stated that she had gone on her own sweet will with the petitioner. Furthermore, the medical evidence also concurs with her statement made under Section 164 Cr.P.C. that she was not sexually exploited in any manner.

In view of the fact that the girl has now returned home and has not made any other allegation against the petitioner, let the petitioner, abovenamed, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/ production of a copy of this order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Mohania PS case no. 02 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J.)

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