

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51157 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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Deo Narayan Sah @ Khattu @ Khaltu S/o Late Asharfi Sah Resident of
Village-Daijupatti, P.S. Bhargama, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
08.06.2016 in connection with Bhargama P.S.Case No.36 of 2016
for offence alleged under Sections 370, 372 and 373 of the IPC
and Section 5 of the Immoral Traffic Act.

The prosecution case is that some persons from Pilibhit
came and the informant who is the victim herself, her parents
agreed to marry the informant to one Sripal. While after marriage
she was returning by train, she suspected that she would be sold
and he was found to be of a third gender and 5-7 persons were
involved in this type of activities.

It has been submitted by the learned counsel for the
petitioner that he is innocent and has been falsely implicated in the
aforesaid offence. He further submits that no overt-act has been



alleged against the victim and that the First Information Report has been lodged due to misconception as the allegations are highly improbable. He further submits that the father and mother of the informant have since been granted the privilege of bail by a Coordinate Bench of this Court in Cr.Misc.No.40607 of 2016 on 22.09.2016. He further submits that chargesheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence. He further submits that the petitioner is not named in the FIR and his name surfaced only on the basis of suspicion.

However, learned APP for the State opposes the prayer for bail.

Be that as it may, since the chargesheet has already been submitted and the petitioner has been implicated only on the basis of suspicion, let the above named petitioner 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 Sri Kumar Amit Manu, learned ACJM-II, Araria in connection with Bhargama P.S.Case No.36 of 2016.

(Nilu Agrawal, J)

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