

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6062 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

1. Dinesh Ram Son of Langtu Ram Resident of village - Shankar Saraiya,
P.S. Turkaulia, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhileshwar Kumar Shrivastva

For the Opposite Party/s : Mr. Nirmala Kumari(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-02-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Nautan (Jagdishpur) Police Station Case No.
69 of 2015, disclosing offences under Section 366A of the
Indian Penal Code.

Learned Counsel for the petitioner has drawn
my attention to the statement of the victim girl, recorded
under Section 164 of the Code of Criminal Procedure, and
submits that there is material contradiction between the
statement of the informant, which is the basis for institution
of the First Information Report and the statement of the
victim, under Section 164 of the Code of Criminal

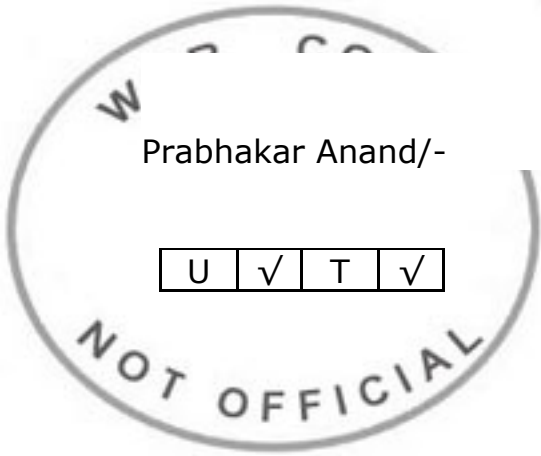
Procedure. He further submits that there is no allegation of misbehaviour made by the victim in her statement under Section 164 of the Code of Criminal Procedure and contends that the victim appears to have made the statement under some pressure.

Considering the background in which the case has been instituted and the fact that the victim has not alleged any misbehaviour in her statement under Section 164 of the Code of Criminal Procedure against the petitioner, this application is allowed.

Let the petitioner, Dinesh Ram, in the event of his arrest or surrender before the Court below within four weeks, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Nautan (Jagdishpur) Police Station Case No. 69 of 2015, subject to the condition 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 same 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 bond shall be liable to be

cancelled.



(Chakradhari Sharan Singh, J.)