

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29883 of 2016

Arising Out of PS.Case No. -163 Year- 2013 Thana -AWTARNAGAR District- SARAN

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Jitendra Sah @ Jitendra Kumar S/o Late Shyam Sundar Sah, R/o village
Aami, Karmoaripatti, P.S.-Dighawara, P.O. Dighawara, Dist-Saran at
Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Ban Bihari Singh, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 29-07-2016

Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offence punishable under Section 366(A)/34 of the Indian Penal
Code.

The victim stated in her statement, recorded under
section 164 of the Cr.P.C. that she was handed over to the
petitioner by other accused and, after that, the petitioner forcibly
solemnized his marriage with her and established physical relation
with her but the victim admitted that she remained with the
petitioner for near about 6 to 7 months.

Submission on behalf of the petitioner is that the
occurrence is said to have taken place on 12.03.2012, whereas the
complaint case was filed on 03.04.2012 and, therefore, the

aforesaid facts goes to create some doubt in the prosecution story and furthermore, it appears that the victim made her statement under section 164 of the Cr.P.C. under pressure.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of the fact that the petitioner is in custody since 08.02.2016, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, in connection with Awatar Nagar P.S. Case No. 163 of 2013.

(Hemant Kumar Srivastava, J.)

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