

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 57684 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -UJIARPUR District- SAMASTIPUR

Ravi Kishan @ Gupchup, Son of Bindeshwar Mahto, resident of Village-
Bela Megh Ward No. 4, P.S.- Ujiarpur, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 21-01-2016 Heard Sri Amitabh Bhardwaj, learned counsel for the
petitioner and Sri Parmeshwar Mehta, learned Addl. Public
Prosecutor.

The petitioner, who is in custody since 17-07-2015 in
Sessions Trial No. 528 of 2015 (arising out of Ujiarpur P.S. Case
no. 122 of 2015) registered for the offence under Sections
366(A)/34 of the Indian Penal Code, has prayed for grant of bail.

Learned counsel for the petitioner submits that the
victim had voluntarily gone with the petitioner and on the same
date, the petitioner was arrested. Though, the victim was
recovered on the same date i.e. on the date of F.I.R., her statement
under Section 164 of the Cr.P.C. was recorded after five days. He
submits that the petitioner will render full cooperation during the

trial before the trial court.

Learned Addl. Public Prosecutor has opposed the prayer for bail. He submits that the victim has also supported the case of prosecution.

On perusal of statement of the victim girl, it is evident that early in morning at 4:00, she had gone to attend natural call and it was alleged even in the statement recorded under Section 164 of the Cr.P.C. that the petitioner had carried her on motorcycle.

In view of the facts and circumstances, particularly the fact that the victim was recovered on the same date and the facts disclosed in her statement, the Court proposes to direct for release of the petitioner on bail.

Accordingly, let the petitioner namely Ravi Kishan @ Gupchup be enlarged 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 1st Addl. Sessions Judge, Samastipur in connection with S.T. No. 528 of 2015, arising out of Ujiarpur P.S. Case No. 122 of 2015, with a condition that one of the bailor must be blood relation of the petitioner and secondly, on each and every date during the trial, the petitioner shall remain physically present before the trial. If continuously on two dates, the petitioner

remains absent, without prior permission of the trial court, his
bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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