

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19643 of 2016

Arising Out of PS.Case No. -217 Year- 2015 Thana -JAMUI District- JAMUI

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Aditya Kumar, son of Mukesh Mandal resident of village - Lagma, P.S.
and District - Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 19-05-2016 Heard Sri Satya Prakash Parasar, learned counsel
for the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in connection with Jamui P.S. Case no.217/2015 registered for the offence under Sections 363, 364(A), 120(B) of the Indian Penal Code, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits that a complaint petition was filed, which was registered as Complaint Case no. 1240/2015, which was subsequently referred to police and, thereafter, F.I.R. was registered. He submits that it is true that some allegation has been made against the petitioner, but fact remains that during investigation, the statement of the victim girl was recorded under Section 164 of the Code of Criminal

Procedure and she had categorically stated that since her parents were pressurizing her to marry with an old person, she voluntarily had left the house with her cousin brother. The victim girl had also disclosed that her parents had instituted a false case. Learned counsel for the petitioner has placed reliance on Annexure-2 to the petition, a certified copy of the statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. He submits that this fact has also been mentioned by the learned Sessions Judge in its order dated 05.03.2016, however, the prayer for grant of anticipatory bail was rejected.

Keeping in view the statement of the victim girl recorded under Section 164 Cr.P.C., the Court is of the opinion that it is a fit case for extending the privilege of anticipatory bail to the petitioner. Let the petitioner, namely, Aditya Kumar, in the event of his arrest or surrender within a period of six weeks from today, 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, Jamui in connection with Jamui P.S. Case no.217/2015 subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

NKS/-

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(Rakesh Kumar, J)