

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20306 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -MUFFASIL District- AURANGABAD

1. Chhotu Kumar Son of Late Subedar Paswan, Resident of village- Misir Bigha, P.S.- Town, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Madhuri Lata (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-07-2016

Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 363, 366 (A) and 120 (B)/34 of the I.P.C

Earlier the petitioner and co-accused Amit Paswan had outraged the modesty of daughter of the informant for which Mahila P.S. Case No. 16 of 2015 was instituted and to compromise that case the petitioner and others were pressuring the informant and her family members and thereafter the daughter of the informant was kidnapped by the petitioner and other FIR named accused persons.

Submission is of false implication and that the prosecution story appears not probable and reliable, the statement of father of the victim girl has been recorded, vide paragraph-30 of

the case diary, from which it reveals that the victim was married one and she has left her husband and is living with another man, the informant has also filed petition before the Officer Incharge in this regard which is attached with the case diary and further in the court below also the informant has filed compromise petition showing innocence of the petitioner, similarly situated co-accused Amit Kumar has already been allowed bail vide Cr. Misc. No. 20693 of 2016 by another co-ordinate Bench of this Court.

The learned A.P.P. submits that the informant is changing her version.

In the facts and circumstances as stated above, the petitioner is also directed to 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 C.J.M. Aurangabad in Muffasil P.S. Case No. 195 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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