

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8043 of 2017

Arising Out of PS.Case No. -375 Year- 2016 Thana -CHHATAPUR District- SUPAUL

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1. Amit Kumar @ Amit @ Bambam Kumar @ Bambam, Son of Pawan Chourasiya @ Pawan Kumar Chourasiya, Resident of Village- Bhirkhi (Ward No. 23) P.S. & District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-02-2017 The petitioner is in custody since 18.12.2016 in connection with Chhatapur P.S. Case No. 375 of 2016, registered for offences punishable under Sections 363, 365, 366(A) and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner has been falsely implicated in this case and as a matter of fact there is love affair between the petitioner and the victim girl and also the girl in her statement recorded under Section 164 of the Cr.P.C. has stated that she had gone with the petitioner out of her own sweet will. Petitioner has been in judicial custody since 18.12.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact and circumstances of the case and also in view of that the girl in her statement recorded under Section 164 of the Cr.P.C. has stated that she had gone with the petitioner out of her own sweet will coupled



with the fact that the petitioner has no criminal antecedent and he has remained in judicial custody for more than two months, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Supaul, in connection with Chhatapur P.S. Case No. 375 of 2016, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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