

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.926 of 2017

Arising Out of PS. Case No. -186 Year- 2016 Thana -HATHUA District- GOPALGANJ

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Jitan Kumar, Son of Shiv Nath Mahato, Resident of village - Kalopati, P.S.
Hathua, District - Gopalganj

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Pandey, No-5, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 10-02-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 15.10.2016 in connection with Hathua P.S. Case No. 186 of 2016 (G.R. No. 3167 of 2016) for the offences alleged under Sections 366/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as in fact it was a case of elopement and the so-called victim girl had voluntarily accompanied the petitioner.

4. Learned APP fairly refers to the statement of the girl recorded under Section 164 Cr. P.C. as contained in para-34 of the case diary, in which she has stated that she had not been pressurized in any way by the petitioner and she had gone willingly with him. According to the medical report at para-40 of the case



diary, she is assessed to be about 18-19 years of age. Petitioner claims clean antecedents.

5. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Gopalganj, in connection with Hathua P.S. Case No. 186 of 2016, G.R. No. 3167 of 2016.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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