

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1802 of 2017

Arising Out of PS.Case No. -41 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. RAMAWTAR CHAUDHARY @ RAMAUTAR CHAUDHARY, S/o
Bira Chaudhary, Resident of Village- Raghunathpur, P.S.- Turkauliya,
District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar.
2. Radha Kumari, D/o Birendra Manjhi (Musahar), Resident of Village-
Jhakhra- Balua, P.S.- Pipra Kothi, District- East Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Bansh Dubey
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 The appellant seeks regular bail in connection with Pipra
Kothi P.S. Case No. 41 of 2017, registered for offences punishable
under Sections 376 and 313 of Indian Penal, Section 4 of POCSO
Act and Section 3(i) (r)(s) of SC/ST (POA) Act.

Allegation against the appellant that he made physical
relationship with the informant on the pretext of marriage but later
on he refused to marry her and the girl was minor.

It has been submitted on behalf of the appellant that he
has falsely been implicated in this case and in this case charge-
sheet has been filed, which shows that the girl is not minor.
Further prior to lodging of the case, appellant has filed a complaint



case against the informant being Complaint Case No. 2543/16 against the informant and others as they were demanding four kathas of land from him and also assaulted him. Further appellant has been in custody since 23.02.2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed, let the appellant 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 1st Additional Sessions Judge-Cum-Special Judge, SC/ST(POA) Act, East Champaran, Motihari, in connection with Pipra Kothi P.S. Case No. 41 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant 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.

(Vinod Kumar Sinha, J)

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