

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45653 of 2016

Arising Out of PS.Case No. -344 Year- 2012 Thana -BARHARIA District- SIWAN

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1. Raju Nutt S/o Late Jalil Nut R/o Village- Bhelpur, P.S.- G.G. Nagar
(Tarwara), District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

9 10-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Barharia P.S. Case No. 344
of 2012 instituted for the offence under Sections 366, 376/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that
the occurrence has taken place on 06-06-2011 whereas; the
complaint has been filed after delay of more than one year on 08-
10-2012. The victim girl is a married lady and she has implicated
the petitioner falsely.

The statement of the victim has been recorded u/S 164
of the Cr.P.C. wherein she has stated her age as 21 years. She has
stated that the petitioner took her on Bolero at Chapra and kept her
for two days and committed illegal act with her on the pretext to



marry her. In this manner, from the own statement recorded u/S 164 of the Cr.P.C. she was major. She has mentioned in her statement that illegal act has been committed by this petitioner on the pretext to marry her. As such, the victim appears to be a consenting party. It has been submitted on behalf of the petitioner that victim is a married girl.

Considering the above facts and circumstances, prayer for bail is allowed and it is ordered that let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Barharia P.S. Case No. 344 of 2012 to the satisfaction of learned Chief Judicial Magistrate, Siwan subject to conditions that both the bailors should be close relatives of the petitioner.

(Sanjay Priya, J)

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