

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48456 of 2017

Arising Out of PS.Case No. -94 Year- 2015 Thana -SHIWAPATHI District- MUZAFFARPUR

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1. Baijulal Sah S/o Late Jugeshwer Sah, Resident of Village-Rampur Ratan,
P.S.-Siwaipatti, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Adv.

For the Opposite Party/s : Mr. Sri Nityanand, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 07-12-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Siwaipatti Police Station Case No. 94 of 2015, disclosing
offences under Sections 366(A)/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the alleged occurrence took
place on 25.08.2015 whereas the F.I.R. has been lodged on
01.09.2015 after lapse of six days without explaining the
plausible delay. Moreover, the victim in her statement recorded
under Section 164 Cr.P.C. has denied the allegation leveled in
the F.I.R. and stated that she herself left her house and went to



her aunt. The doctor as assessed the age of victim as 17 to 18 years. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Siwaipatti Police Station Case No. 94 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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