

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34709 of 2017

Arising Out of PS.Case No. -16 Year- 2009 Thana -PAROO District- MUZAFFARPUR

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1. Rita Devi W/o - Binod Bhagat Resident of Village - Dhengpur, P.S. - Paroo, Distt. - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 31-08-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Paroo Police Station Case No. 16 of 2009, disclosing offences under Sections 366(A) 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 occurrence took place 11.01.2009 whereas F.I.R. has been lodged on 01.02.2009 after lapse of 20 days without explaining plausible delay, which creates doubt over the prosecution version. Moreover, the victim in her statement recorded under Section 164 Cr.P.C. stated that she herself went with Rajesh, Sunil and Subodh. According to



paragraph 87 of the case diary, the age of victim girl was assessed as 18-19 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 Judicial Magistrate-1st Class, Muzaffarpur, in connection with Paroo Police Station Case No. 16 of 2009, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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