

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.872 of 2017

Arising Out of PS.Case No. -92 Year- 2011 Thana -BALRAMPUR District- KATIHAR

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Ram Khelawan @ Ram Khelawan Ram Son of Late Badlu@ Badlu Ram,
Resident of Village- Hanmirpur, P.S.- Kamlapur, District- Sitapur (U.P)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate.

For the Opposite Party/s : Mr. Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-02-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The Petitioner seeks bail in Balrampur P.S. Case No.

92 of 2011 instituted for the offence under Section(s) 366 and

370/34 of the Indian Penal Code.

It has been submitted that the petitioner is neither

named in the written report nor in the statement of the victim girl

recorded under Section 164 Cr.P.C. His name has come in

paragraph 31 of the case diary wherein allegation has been leveled

against the petitioner that he has brought the victim girl for sale

but the family member saved her. The victim has stated in her

statement before police in paragraph 31 of the case diary, that no

illegal act has been committed with her.



In the facts and circumstances of the case, considering that in the statement recorded under Section 164 Cr.P.C which is annexed as Annexure 2, the girl has not taken the name of this petitioner, and that the petitioner is not named in the written report, and he is in custody since 20.11.2016, let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Balrampur P.S. Case No. 92 of 2011 subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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