

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45330 of 2017

Arising Out of PS.Case No. -223 Year- 2017
Thana -SIKARPUR District- WESTCHAMPARAN(BETTIAH)

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Vishal Ram Son of Sri Kishori Ram Resident of village- Purani Bazar,
Ward No.-1, P.S.- shikarpur, District- West Champaran Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate
For the Opposite Party : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in a case registered for the
offence under sections 363 and 366 of the IPC.

Counsel for the petitioner submits that the FIR has
been lodged after the victim returned to her house. In 164
Cr.P.C. statement she stated that she has solemnized marriage
with one Bunty. He submits that the age of the victim has been
assessed to be about 17 to 18 years. Prior to the instant case, no
case is pending against him and he is in custody since 3.6.2017.

In view of the aforesaid submissions, let the petitioner
as mentioned above be released on bail on furnishing bail bond
of Rs.10,000/- with two sureties of the like amount each to the
satisfaction of the Chief Judicial Magistrate, West Champaran
at Bettiah in Shikarpur Police Station Case No. 223 of 2017, on
the following conditions:-

(a) One of the bailors will be a close relative of the
petitioner who will give an affidavit giving genealogy as to
how he is related with him. The bailor will also undertake to



inform the court if there is any change in the address of the petitioner.

(b) The affidavit shall clearly state that the petitioner is not an accused in any other case, and if he is, he shall not be released on bail.

(c) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(d) The petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be liable to be cancelled for reasons of misuse.

(e) The petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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