

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16350 of 2017

Arising Out of PS.Case No. -147 Year- 2010 Thana -HASANPUR District- SAMASTIPUR

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1. Diwakar Yadav @ Diwakar Kumar, S/o Sri Pramil Yadav, resident of
village - Bargaon, P.S. Hasanpur, District - Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2017 The petitioner is apprehending his arrest in connection
with Hasanpur P.S. Case No. 147 of 2010, registered for offences
punishable under Sections 366A and 34 Indian Penal Code.

It has been submitted on behalf of the petitioner that
though the case is under Section 363 and 366A/34 of Indian Penal
Code but the girl has been recovered and she in her statement
recorded under Section 164 Cr.P.C. has not made any allegation
against the petitioner and also, police after investigation submitted
final form in this case, however, learned Magistrate differing with
the opinion of I.O. took cognizance against the petitioner.
Petitioner is student of engineering and has nothing to do with the
alleged offence.

Heard learned A.P.P. also.



Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that in this case, girl has been recovered and her statement under Section 164 Cr.P.C. has been recorded, in which she has not made any allegation against the petitioner, as such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Rosera at Samastipur in connection with Hasanopur P.S. Case No. 147 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Vinod Kumar Sinha, J)

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