

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27013 of 2017

Arising Out of PS.Case No. -242 Year- 2015 Thana -BAHERI District- DARBHANGA

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Ramesh Mukhiya @ Bhulla, S/o Magnu Mukhiya, Resident of Village-
Gwas, P.S. Baheri, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das, Advocate

For the Opposite Party/s : Mrs. Gulnar Begam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
23.11.2016 in connection with Baheri P.S. Case No. 242 of 2015,
T.R. No. 1564 of 2017 registered for the offence punishable under
Sections 363 and 366/34 of the Indian Penal Code.

The prosecution case, as lodged by the brother of the
victim, Menka Kumari, is that his minor sister aged 14 years had
gone to the market, but did not return. Later he came to know that
she was forcibly taken away by the petitioner and four other co-
accused for some illegal work.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and other four co-accused have not been sent up for trial. It is further submitted that the victim in her 164 Cr.P.C. statement has named the petitioner, but from the supervision note, it appears that they had love affairs and she had eloped with the petitioner. He submits that medical report also ascertained her age to be 18-19 years, as such, she went with the petitioner out of her own sweet will. It has further been submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Baheri P.S. Case No. 242 of 2015, T.R. No. 1564 of 2017.

(Nilu Agrawal, J.)

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