

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23482 of 2017

Arising Out of PS.Case No. -172 Year- 2016 Thana -NAUGACHIA District- BHAGALPUR

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Satya Narayan Kumar, son of Late Bedananad Kumar, resident of Village-Khagra, P.S.- Parbatta. District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Sessions Trial No. 769 of 2016, arising out of Naugachia P.S.Case No. 172 of 2016 registered for the offences punishable under Sections 366, 371 and 120B/34 of the Indian Penal Code.

Petitioner is not named in the FIR.

It has been submitted on behalf of the petitioner that the girl has been recovered and her statement under Section 164 Cr.P.C. has been recorded, which shows that she was pregnant from other accused person and thereafter she informed the co-accused and the co-accused along with other has taken her and they kept her there and apart from that there is nothing against the petitioner of making illicit relationship with her. It has further



been submitted that medical report shows that she was not pregnant and there is no sign of rape on the victim girl and petitioner is in custody for about nine months. It has also been submitted that other co-accused having similar allegation has been granted bail by a co-ordinate Bench of this Court in Cr.Misc.No. 12542 of 2017, vide order dated 9.5.2017.

Heard learned APP also.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that similarly situated co-accused has been granted bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional District & Sessions Judge, Naugachia, Bhagalpur, in connection with Sessions Trial No. 769 of 2016, arising out of Naugachia P.S.Case No. 172 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of



trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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