

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27236 of 2017

Arising Out of PS.Case No. -35 Year- 2016 Thana -BELA District- SITAMARHI

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Chhotan Kumar Son of Late Jai Narain Raut, Resident of Village- Khairwa ,
P.S.- Bela , District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Bela Police Station, Case No. 35 of 2016, disclosing
offence under Section 366 (A) of the I.P.C.

Learned counsel for the petitioner has drawn my
attention to the statement of the victim, recorded under Section
164 Cr.P.C., and has submitted that the victim stated her age to be
19 years, therefore, the allegation that she was minor on the date
of occurrence, as alleged in the first information report, is false.

Considering the submission, as above, this application
is allowed.

Let the petitioner, above named, in the event of his



arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi, in connection with Bela P.S. Case No. 35 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present his before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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