

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1878 of 2018

Arising Out of PS.Case No. -104 Year- 2017 Thana -HULASGANJ District- JEHANABAD

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Lachho Devi @ Lakshmi Devi Wife of Late Shyam Karan Das @ Shyam Kumar Das resident of village Suhani Bigha @ Subhani Bigha, P.S. Hulasganj, District Jehanabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 30.11.2017 in connection with Hulasganj P.S. Case No. 104 of 2017 for the offences alleged under Sections 366A/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as it is evident from the deposition of the so-called victim girl recorded under Section 164 of the Code of Criminal Procedure, according to which she claims to be of 18 years whereas she was assessed to be 17 years of age. A copy of the Aadhar Card (Annexure-2) discloses that her date of birth is 01.01.1998, according to which she was major at the time of occurrence. In her deposition she has not even named the petitioner much less attributed any overt act. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV,



Jehanabad in connection with Hulasganj P.S. Case No. 104 of 2017,
on the following conditions:-

(i) That one of the bailors shall be a close relative of
the petitioner.

(ii) That the petitioner shall not indulge in any
similar offence till conclusion of the trial.

(iii) That the petitioner will be well represented in
court on each and every date during trial and in the event of failure
on two consecutive dates without sufficient reason, her bail bond
shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the
investigation, if not already concluded, and make herself available
as and when so required and in case of failure, the State shall be at
liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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