

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 50642 of 2018

Arising Out of PS. Case No.-126 Year-2018 Thana- PHULWARISHARIF District- Patna

MANNU CHAUDHARY @ MANU CHAUDHARY son of Shiv Nath Chaudhary resident of village - Dhanuki, P.S. Janipur (Phulwarisharif), District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-09-2018

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in a case registered under Sections 376/34 of Indian Penal Code.

It is submitted that the petitioner has been named in the first information report. The prosecutrix is said to be own Gotia of the accused persons. Though in the first information report, she has named the accused persons but in her statement recorded under Section 164 of Criminal Procedure Code, she has specifically stated that she was caught from behind and she does not know the name of the persons who have perpetrated the crime. It is submitted that the allegations are prima facie based on extraneous consideration and that without having any



criminal antecedent, the petitioner is in custody since 13.04.2018.

The learned APP has opposed the prayer for bail.

Be that as it may, considering the submissions of learned counsel for the petitioner noticed herein above, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub Judge XV -cum- Additional Chief Judicial Magistrate, Patna in Phulwarisharif (Janipur) Police Station Case No 126 of 2018 subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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