

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56784 of 2018

Arising Out of PS. Case No.-305 Year-2018 Thana- BANKA District- Banka

Upendra Kumar Roy @ Upendra Kumar Ram @ Roy S/o Shanichar Roy @
Shanichar Ram, R/o Vill.- Nonia Basar, P.S. & District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda

For the Opposite Party/s : Mr. Sri Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant .

The petitioner seeks bail in Banka P.S. case no. 305
of 2018 instituted for the offence under Section(s) 366A
Indian Penal Code.

It has been submitted that victim girl has given her
statement under Section 164 Cr.P.C. ,wherein, she has not
alleged any overt act against this petitioner. She has stated that
she has gone voluntarily with this petitioner. It has been further
submitted that girl has been medically examined and the
doctor has assessed her age between 14 - 17 years.

Learned counsel for the informant has appeared and
opposed the prayer. He has submitted that the victim girl is



minor as per statement recorded u/s 164 Cr.P.C..

This Court finds from statement recorded U/s 164 Cr.P.C. that she has not alleged any overt act against this petitioner. She has voluntarily gone with this petitioner. She has further stated that this petitioner has not done any illegal act with her.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the CJM Banka in connection with Banka P.S. case no. 305 of 2018 subject to the condition that both the bailers shall be the close relative of the petitioner.

(Sanjay Priya, J)

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