

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57780 of 2018

Arising Out of PS. Case No.-134 Year-2017 Thana- PANJWARA District- Banka

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Bijay Route, S/o Late Budhu Rout, R/o village- Nima, P.S.- Panjwara,
District- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Kumar Singh

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 05.01.2018 in connection with Panjwara P.S. Case No. 134 of 2017 for the offence registered under Section 366A, 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he had enticed the victim girl and had taken her to Kolkata. The story stands testified by the victim girl herself in her statement before the learned Magistrate under Section 164 Cr.P.C., wherein she has categorically stated that the petitioner had not indulged in any act of violence including any sexual act.

It has been further submitted that he has been falsely implicated on the basis of dirty village politics. He further submits that the petitioner has been languishing in jail for almost nine months and has got clean antecedent.



Considering the aforesaid 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Panjwara P.S. Case No. 134 of 2017, subject to the following conditions:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

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

(Anjana Mishra, J)

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