

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73016 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- BELCHHI District- Patna

Deepu Kumar, Son of Adalat Paswan, Resident of Village- Dariyapur, Police
Station- Belchhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap
For the Opposite Party/s : Mr. Sri Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sessions Tr. No. 557 of 2018 arising out of
Belchhi P.S. Case No. 28 of 2018 registered for the offence
punishable under Sections 363, 366 & 376 of the Indian Penal
Code.

Informant in his written complaint has alleged that
his minor sister is traceless from 09.06.2018 and has suspected
that petitioner has kidnapped her. The girl has been recovered
and in her statement under Section 164 of Cr.P.C. she has stated
that there was some altercation within the family and thereafter
petitioner took her to Delhi thereafter to Haridwar and Surat,
they were living in a tenanted room where petitioner forcibly
established physical relation with her and also assaulted her. The



victim was examined by the Medical Board and which has opined that she is above 18 years, however no injury or commission of rape has been ascertained. Petitioner has no criminal antecedent and he is in custody since 16.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-IIIrd, Barh, Patna, in connection with Sessions Tr. No. 557 of 2018 arising out of Belchhi P.S. Case No. 28 of 2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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