

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.440 of 2018

Arising Out of PS.Case No. -72 Year- 2017 Thana -HALSI District- LAKHISARAI

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1. Narad Kumar, Son of Dasrath Manjhi @ Dasrath Prasad Bhuiya
Resident of Village Manpur, P.S. Halsi, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-02-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends arrest in connection with Halsi P.S.
Case No.72 of 2017 registered for the offences under Sections
366(A)/34 of the Indian Penal Code and Section 8 of the
Protection of Children from Sexual Offence Act, 2012.

It has been submitted that the daughter of informant had
love affairs with this petitioner and she left her house voluntarily
and married the petitioner. The girl was produced before the
Magistrate for recording her statement under Section 164 of
Cr.P.C. In her statement she stated that she voluntarily left her
house and married the petitioner. She has disclosed her age as 20



years. However, learned Magistrate has assessed her age in between 16-18 years. The Medical Board has also assessed her age as 17-18 years. It appears that the case was lodged after 19 days of the alleged occurrence. The petitioner has clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner in the event of arrest or surrender before the learned court below within six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Lakhisarai in connection with Halsi P.S. Case No.72 of 2017, subject to the conditions as laid down under Section 438(2) of Cr.P.C., with further conditions that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on



his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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