

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29853 of 2018

Arising Out of PS.Case No. -69 Year- 2017 Thana -MORO District- DARBHANGA

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Gulshan Kumar Sah, S/o Ram Kumar Sah, resident of village- Bishanpur,
P.S.- Moro, Distt.- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Moro Police Station Case No. 69 of 2017 registered for the offences punishable under sections 363 and 366A of the Indian Penal Code.

It has been submitted that the victim was produced before the Magistrate where her statement was recorded under section 164 Cr. P.C. which reveals that it is a case of elopement. The victim in her statement has not stated about any sexual exploitation by this petitioner or any of the accused. The doctor has assessed her age in between 18-19 years. The other co-accused whose name was disclosed by the victim in her statement recorded under section 164 Cr.PC., has been allowed bail by one



of the coordinate Bench of this Court in Cr. Misc. No. 30894 of 2018. The case of the petitioner stands on similar footing to the case of co-accused who is on bail. The petitioner is in custody since 19.12.2017 having clean antecedent.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VIII, Darbhanga in connection with Moro Police Station Case No. 69 of 2017, subject to the following conditions:-

- (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) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Sanjay Kumar, J)

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