

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42763 of 2018

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1. Jay Ram Bhagat @ Jay Bhagat, S/o Janak Bhagat @ Janak Lal Bhagat,
resident of Village- Sitanabad, P.S.- Bakhtiyarpur, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 24-09-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Bakhtiyarpur P.S. Case No.
157/2017, instituted for the offence under Section 366(A)/34 of
the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
victim was recovered along with her *Mausi* from the village
Sitnabad Mushahari. It is submitted that the victim has been
medically examined and her age was assessed to be less than 18
years. In para 42 of case diary, there is statement of victim girl
recorded under Section 164 Cr.P.C. wherein she has narrated
imaginary story stating that the accused persons including the
petitioner left her free three days back but she did not return to her
house. She was recovered by the police with her *Mausi*. It is



further submitted that the occurrence is alleged to have taken place on 17.05.2017 but the F.I.R. has been lodged on 24.05.2017, i.e. after six days.

Considering the aforesaid fact and circumstances, prayer of the petitioner for grant of bail is allowed. 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 learned 1st Additional Sessions Judge-cum-Special Judge Incharge, Saharsa in connection with Bakhtiyarpur P.S. Case No. 157/2017, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

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