

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54344 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -KESARIA District- EASTCHAMPARAN
(MOTIHARI)

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1. Vishwanath Ram son of Surat Ram, resident of Village- Bhagwatiya,
P.S.- Keshariya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-11-2018 The petitioner seeks regular bail in connection with

Keshariya P.S. Case No. 28 of 2018, registered for offences

punishable under Sections 363, 366A and 34 of the Indian Penal

Code.

Allegation against the petitioner is of kidnapping the

daughter of the informant and further the statement of the girl

under Section 164 Cr.P.C. shows that she was compelled to have

sexual intercourse.

It has been submitted on behalf of the petitioner that

there is delay of 56 days in lodging the F.I.R. in spite of the fact

that the informant was well aware that it is the petitioner, who

took his daughter and further it is alleged that the petitioner took

her and kept her in Delhi for about two months but it is very



strange that for the two months the girl has not made any effort to get herself freed or raise any voice against the petitioner. It has further been submitted that the girl was medically examined and no sign of rape was found and she was found to be major and appears to be a consenting party.

Heard learnedd A.P.P. also.

Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and also that the petitioner has no criminal antecedent, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000, (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-XI, East Champaran, Motihari, in connection with Keshariya P.S. Case No. 28 of 2018, with 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 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

(Vinod Kumar Sinha, J)

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