

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58088 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -PATORI District- SAMASTIPUR

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Achche Kumar, S/o Ram Kishun Rai, resident of Village- Araiya, P.S.-
Patori, District- Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1, Adv.

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey, APP.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 12-02-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is permitted to correct the date of
custody of the petitioner in para-7 of the petition.

Petitioner seeks bail in a case registered for
the offences punishable under Sections 366,376 (D) of the
Indian Penal Code.

According to FIR, the petitioner had some
affairs with the wife of the informant. For that reason, there
was some Panchayati also but the petitioner did not mend
himself and alongwith co-accused Ajay Kumar abducted to
the wife of the informant. The victim lady stated before the
police that she was under the custody of petitioner and co-
accused Ajay Kumar for two days, both had ravished against
her. Co-accused Ajay Kumar has already been allowed bail
for the reason that he was found juvenile by the learned



Juvenile Justice Board.

Submission is that the petitioner is in custody since 16.05.2017 and the statement of the victim is under pressure of the family members. In fact, whatever allegation is there, the victim was a consenting party and even after escape from the clutches of kidnappers, she did not approach the police rather she went to her maternal uncle's house from where she was recovered.

Learned counsel for the informant opposed the prayer for bail for the reason that statement of victim is against the petitioner.

Considering the entire facts let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.Trial No. 525 of 2017 arising out of Patori Police Station Case No.80 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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