

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36452 of 2018

Arising Out of PS.Case No. -199 Year- 2017 Thana -BYPASS District- PATNA

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1. Sita Ram Chaudhary, son of Late Saukhi Chaudhary, Resident of
Mohalla- Dahuchak Nagla, P.S. Malsalami, Dist.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar -1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 363/366/370/372 of the Indian Penal Code and Section 14 of the POCSO Act.

The FIR would reveal that the co-accused Malti Devi abducted two daughters of the informant on the pretext of getting them employed at Delhi. One of the victim on recovery stated, in her statement recorded under Section 164 Cr.P.C., that she was sold to Narayan Tiwari and she had already married with Narayan Tiwari and living as husband and wife. The said victim did not support even that allegation during trial. Another victim stated that she was in captivity of co-accused Chandrashekhar, who had raped her. Considering the aforesaid material the



coordinate Bench of this Court has already granted bail to co-accused Sudhir Kumar vide Annexure-4.

Submission is that the petitioner is in custody since 04.02.2018 and is ready to cooperate with the trial.

Learned counsel for the State opposed the prayer on the ground that in fact the petitioner was the person against whom allegation is of selling the victim girl.

Considering the nature of material available on record, 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 the learned Court-below where the case is pending in connection with Special Case No.145(A) of 2017, arising out of Bypass P.S. Case No.199 of 2017, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/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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