

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58172 of 2018

Arising Out of PS. Case No.-366 Year-2018 Thana- BAKHTIYARPUR District- Patna

Sarvajeet Kumar, Son of Late Indradev Yadav @ Indradev Rai, resident of Village- Mekra, P.S. Mokama, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL ORDER

2 06-10-2018 I have heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for offences punishable under sections 294, 372, 373, 376 and 34 of the Indian Penal Code and under Section 3(2)(AB) 4, 6, 7 of Immoral Traffic Act and Section 30(a) and 37(c) of the Bihar Prohibition and Excise Act, 2016. Later on section 376 of IPC was deleted by the police

It is contended that, as per allegation, the petitioner along with six persons were apprehended in drunken/ questionable condition in company with lady. It is further contended that the statement of two ladies were recorded under section 164 Cr.P.C. and they had stated that they were going to Deoghar but in view of the fact the vehicle had gone out of order, they stopped at the house of the petitioner. One of them stated that



she along with her daughter was in a room and the police came and apprehended them. Similar statement was made by another lady Seema Bharti also. It is also contended that initially Section 376 IPC was included but after supervision of Dy. S.P. the same has been deleted and there is no allegation of any rape and outrage of modesty which would be apparent from 164 Cr.P.C. statement of the ladies. Petitioner claims that he is having clean antecedent and is in custody since 18.07.2018.

Having regard to the facts and circumstances of the case, the above named petitioner is directed to be released on bail on his furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise, Patna, in connection with Bakhtiyarpur P.S. Case No. 366 of 2018.

If the petitioner, after his release in this case, is again found involved in similar nature of cases then the concerned court would be at liberty to take steps for cancellation of his bail bonds.

(Dr. Ravi Ranjan, J)

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