

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59114 of 2018

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

Krishna Prasad, Son of Sri Premdhar Rai, Resident of Village- Madhopur,
Jamuniya Tola, P.S.- Maner, District- Patna. Petitioner/s
Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, 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, 342, 372, 373, 376/34 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.

It is contended that, as per allegation, the petitioner along with six persons were apprehended in drunken condition. 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 has gone out of order, they stopped at the house of one Sarvajeet Kumar. One of them had stated that she along with her daughter was in a room and the police came and apprehended.



Similar statement was made by another lady Seema Bharti also. It is also contended that there is no allegation of any rape and outrage of modesty which would be apparent from 164 Cr.P.C. statement of the ladies. It is urged that one of the co-accused, namely, Sarvajeet Kumar, has already been granted bail by this Court vide order dated 06.10.2018 passed in Cr. Misc. No.58172 of 2018. 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 Act, 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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