

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49209 of 2018

Arising Out of PS.Case No. -6 Year- 2017 Thana -MAHILA THANA District- BEGUSARAI

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Rohit Kumar S/o Late Kedar Mahto, R/o Vill.- Fulwariya, P.S.- Fulwariya,
District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate

For the Opposite Party : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-10-2018

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 376/342/34 of the Indian Penal Code and Section 5/6 of the Immoral Traffic Act.

According to the FIR, the husband and Debar of the informant allegedly put her in condition of intoxication and sexually abused her.

Submission of the learned counsel for the petitioner is that the informant was herself a lady easy virtue and she was in the habit of leaving the house without informing anyone and this time also since last 3-4 months she was not in the house. Therefore the husband of the informant filed an informatory petition before the Chief Judicial Magistrate,



Begusarai, vide Annexure-2, informing the fact that the wife is missing along with her mother. He submits that the case diary would reveal that only witness of allegation is the informant and her sister has simply supported the allegation as hearsay witness.

Learned counsel for the informant opposed the prayer for bail on the ground that victim has supported the allegation in her statement of under Section 164 Cr.P.C.

Considering the entire facts and circumstances as well as nature of relationship and nature of dispute, let the petitioner, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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 Begusarai Mahila Police Station Case No. 06 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that 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)

Mkr./R.Ranjan-

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