

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3933 of 2018
In
Criminal Miscellaneous No.57303 of 2018

Arising Out of PS. Case No.-153 Year-2015 Thana- SANGRAMPUR District- East
Champaran

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Manoj Sah Son of Banarsi Sah Resident of Village- Barai Tola, Police
Station- Sangrampur, District- East Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dukhi Paswan S/o late Moti Paswan R/o Village- Sangrampur, P.S.
Sangrampur, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ambuj Nayan Chaubey, Advocate
For the Respondent/s : Mr. Sri Bisheshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 19-12-2018 Heard learned counsel for appellant and learned
counsel for the State.

Appellant, who is in custody, seeks bail in connection
with Sangrampur P.S. Case No. 153 of 2015 corresponding to
Trial No. 68 of 2018 registered for the offences punishable under
Sections 366(A)/504/34 of the Indian Penal Code.

Informant had alleged that petitioner and his family
members have enticed away his minor daughter for purpose of
marriage. The girl was recovered and medically examined but no
sign of sexual assault was found. Informant was noticed and has
appeared and states that he has no objection if bail is granted to
petitioner. Appellant has no criminal antecedent. Similarly placed
co-accused has been granted bail by co-ordinate Bench of this
Court vide order dated 16.09.2016 passed in Cr. Misc. No. 32202



of 2016.

Considering the aforesaid fact and circumstances of the case, let the appellant named above be released on bail during pendency of the case upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, East Champaran at Motihari, in connection with Sangrampur P.S. Case No. 153 of 2015, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

(S. Kumar, J)

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