

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.124 of 2019

Arising Out of PS. Case No.-426 Year-2018 Thana- JAMUI District- Jamui

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Damodar Kumar @ Damodar Kumar Ravat, S/o Ram Dular Ravat, Resident
of Village- Lagma, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Jha, Adv. (APP)

For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 01-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Adarsh Thana Jamui P.S. Case No. 426 of 2018
(G.R. No. 2425 of 2018) registered for the offences punishable
under Sections 366(A) of the Indian Penal Code.

Informant is the mother of victim who has stated
that while she and her two daughters were in their house,
accused Sonu Kumar and Rakesh Sharma along with 5-6
unidentified accused came and forcibly took away her daughter
Avisha Yadav @ Sonal aged about 17 years on Scorpio with
oblique motive and intention. The girl was recovered and in her
statement under Section 161 of Cr.P.C. as well as Section 164
of Cr.P.C. recorded by the court she has supported the allegation



made in FIR and have stated that accused Sonu Kumar and Rakesh Sharma along with petitioner and others had forcibly took her on the Scorpio and thereafter Sonu Kumar and Rakesh Sharma also committed rape upon her.

It has been submitted on behalf of the petitioner that there is no allegation against him of committing any sexual assault against the victim and allegation is that he was also one of the accused who had helped in abduction of the daughter of informant. Petitioner is in custody since 15.09.2018.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer for bail is rejected at this stage.

However, **after framing of charge**, the petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jamui, in connection with Adarsh Thana Jamui P.S. Case No. 426 of 2018 (G.R. No. 2425 of 2018), subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner 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 petitioner 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 petitioner.

Accordingly, this Criminal Miscellaneous is here by
disposed of.

(S. Kumar, J)

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