

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14300 of 2019

Arising Out of PS. Case No.-269 Year-2016 Thana- JAMUI District- Jamui *

SADHU BABA @ JAI PRAKASH DAS, age 26 years, Son of Late Harinarayan Ram, Resident of Village - Banni Bahuwara Patti, P.S.- Bhadaur, District- Chhapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-03-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jamui P. S. Case No. 269 of 2016 (S.Tr. No. 262 of 2016) registered for the offences punishable under Sections 366(A) of the Indian Penal Code.

Informant who is the father of victim has stated that his minor daughter Munni Kumari had gone to Jamui to fill-up the form since thereafter she has not returned. He suspected that one Jaiprakash who is saint used to do black magic had also come to his residence had enticed away her daughter.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case merely on suspicion. The girl has been recovered and in her statement recorded under Section 164 of Cr.p.C. she has stated that she went with petitioner and she remained with him for 12 days and when petitioner went to his house he was arrested by the police. She has stated that petitioner took proper care of her and provided food and other requirement and there is no allegation of any sexual assault or abuse against the petitioner. The girl was medically examined and the Medical Board has assessed her age above 18 years. Medical Board has not found any sign of rape upon the victim. Petitioner has no criminal antecedent and is in custody since 09.08.2016.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-II, Jamui, in connection with S. Tr. No. 262 of 2016 arising out of Jamui P.S. Case No. 269 of 2016, 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.

(S. Kumar, J)

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