IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12248 of 2019

Arising Out of PS. Case No.-240 Year-2017 Thana- AANDAR District- Siwan

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Vijay Kumar Shrivastava @ Ashutosh Kumar Shrivastava, S/o Arun Kumar Shrivastava, Resident of Village- Bhagawanpur, P.S.- Guthani, District- Saran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

4 19-06-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363 and 366 of the Indian Penal Code.

Petitioner is in custody since 20.12.2017. Charges have already been framed. However, trial has not been concluded as yet.

According to the statement of the victim aged about 19 years, she had love affair with one Rinku. Rinku called her to the referred place and there he asked the victim to go along with the petitioner who was a relative of Rinku. Thereafter, petitioner took her to Allahabad and told the victim that she has been sold to the petitioner. Thereafter, they travelled through train to

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Dehradun with one Ajay. She stayed there with the petitioner where the petitioner allegedly ravished her. After one month, when the two brother quarreled, the victim was taken back to Siwan.

Submission is of false allegation is evident against the petitioner because the victim never protested while travelling in public transport along with the petitioner.

Considering the entire facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S.Tr. No. 158 of 2018, arising out of Andar P.S. Case No. 240 of 2017, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate 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)

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