

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19807 of 2019

Arising Out of PS. Case No.-706 Year-2018 Thana- SUPAUL District- Supaul *

ANIL KUMAR, aged about 23 years (Male), Son of Late Birju Mukhiya
Resident of Village - Basbitti, P.S and District - Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-04-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 366A/34 of the Indian Penal Code.

Informant has alleged that on 11.11.2018 at 6.00 p.m., his minor daughter along with his son went at the Chowk for purchasing household articles and when they reached near the house of Ravindra Pasi, the petitioner and his three friends came with motorcycle and forcibly dragged his daughter and fled away. It has further been alleged that when informant made enquiry from the maternal uncle of the petitioner, he also assaulted and gave threatening to him.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that petitioner and victim girl were



in love with each and victim girl fled away along with the petitioner on her own sweet will and volition. Victim girl has been recovered and in her statement recorded under Section 164 Cr.P.C., she has only stated about her taking away to village Simra and kept there for 18 days. It has further been submitted that doctor has assessed the age of girl between 16-18 years and no sign of rape was found. Petitioner has no criminal antecedent and he is in custody since 31.12.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Supaul P.S. Case No. 706 of 2018 with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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