

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78954 of 2018

Arising Out of PS. Case No.-283 Year-2018 Thana- LAXMIPUR District- Jamui

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Kanhaiya Tanti, Son of Promod Tanti @ Mushaharoo Tanti, Resident of
Village- Digghi, Police Station- Laxmipur, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar, Adv

For the Opposite Party/s : Smt Renu Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 29-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Laxmipur P.S. Case No. 283 of 2018 registered
for the offences punishable under Sections 366(A) of the Indian
Penal Code.

Informant has alleged in her written complaint that
on 24.07.2018 in the night her daughter Kajal Kuamri aged
about 16 years was taken away by F.I.R. named accused
including petitioner by enticing her.

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. The statement of victim girl was
recorded under Section 164 of Cr.P.C. from which it appears
that she was not taken forcibly by the FIR named accused



including petitioner. She has not alleged any sexual assault against petitioner. The victim was examined by the Medical Board which has assessed her age as 17 to 18 years and there is no finding in respect of the victim being sexually exploited. It has been further submitted that matter has been settled between the parties for which a compromise petition Annexure- 3 has been filed in the court below.

Considering the aforesaid fact 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 Sri Sumit Kumar Singh, J.M. 1st Class, Jamui, in connection with Laxmipur P.S. Case No. 283 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.

(S. Kumar, J)

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