

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25936 of 2019

Arising Out of PS. Case No.-255 Year-2018 Thana- SIKANDRA District- Jamui

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SUBODH KUMAR RAM @ SUBODH RAM, Male, aged about 22 years,
Son of Sadhu Ram Resident of Village- Dharsanda, Police Station- Sikandra,
District- Jamui ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Adv.

For the Opposite Party : Mr. Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 02-05-2019 Heard the learned counsel for the petitioner and the

learned Additional Public Prosecutor appearing for the State.

The petitioner is languishing in judicial custody since
26.02.2019 in connection with Sikandra P.S. Case No. 255 of
2018 for the offence alleged under Section 366A of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that her daughter, Bindu Kumari, aged 17-18 years had gone to
Lohanda College and did not return. She received a telephonic
call in her mobile from a number, which was of the petitioner.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history, the
victim-girl went on her own sweet will with the petitioner, as
stated in her statement under Section 164 of the Criminal
Procedure Code and her age has been assessed by the Magistrate
as 17 years although she has stated her age to be 19 years. It is
further submitted that the victim-girl in her statement under
Section 164 of the Criminal Procedure Code has also stated that



the informant and the family members were present in the marriage at Delhi and a false case has been lodged against the petitioner, who along with the victim's father was present at the time of her deposition also, which is Annexure 2 to the present application. He, further, submits that as per the medical opinion, the age of the girl has been found to be above 18 years, which is Annexure 3 to the present application.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Sikandra P.S. Case No. 255 of 2018 to the satisfaction of Sri M.K. Pandey, the learned Judicial Magistrate, 1st Class, Jamui, or the successor Court.

(Nilu Agrawal, J)

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