

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32228 of 2019

Arising Out of PS. Case No.-86 Year-2018 Thana- PIPRAHI District- Sheohar

UMESH RAM Son of Sudhan Ram Resident of Village - Parsauni Baij, P.s.-
Piprahi, Distt.- Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Piprahi P.S. Case No. 86 of 2018 for the offence punishable
under Section 366(A)/34 of the Indian Penal Code.

Learned counsel appearing on behalf of the
petitioner has drawn my attention to the statement of the victim,
recorded under Section 164 of the Cr.P.C., and has submitted
that in the absence of any allegation against the petitioner of
having established physical relationship with the said victim, no
offence can be said to be made out under Section 366(A) of the
Indian Penal Code. He has also submitted that the statement of
the victim does not indicate that she was forced to accompany
the petitioner.

Keeping in mind the nature of disclosure made by
the victim in her statement under Section 164 of the Cr.P.C., this



application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Sheohar, in Piprahi P.S. Case No. 86 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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