

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77017 of 2018

Arising Out of PS. Case No.-197 Year-2018 Thana- PAHARPUR District-
East Champaran

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Manish Ram Son of Bihari Ram, Resident of Village- Balua Sohraiya, P.S.-
Paharpur, District- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned APP for the
State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 366(A/34 IPC registered in connection with Paharpur P.S. Case No. 197 of 2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the deposition of the so-called victim girl recorded under Section 164 Cr. P.C. wherein she has categorically stated that physical relation had been established with her consent. It is further submitted that according to the radiological examination the age of the girl in question has been determined as above 18 years. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with



Paharpur P.S. Case No. 197 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- (i) That one of the bailors shall be a close relative of the petitioner.
- (ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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