

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80556 of 2018

Arising Out of PS. Case No.-172 Year-2018 Thana- NAANPUR District-
Sitamarhi

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Lal Mohan Kumar @ Lal Mohan Rai son of Deeplal Rai R/o Village- Gaura,
P.S. Nanpur , District- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Usha Rai

For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 22-01-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 363, 366A, 379, 506/34 IPC registered in connection
with Nanpur P.S. Case No. 172 of 2018.

3. It is submitted that the petitioner has been falsely implicated
due to village politics. It is submitted that the so-called victim girl's
statement has been recorded under Section 164 Cr. P.C., in which she
has categorically stated that she is 18 years old and had voluntarily
solemnised marriage with Suraj Manjhi. As such, it is submitted that
the ingredients of offences under Section 366(A) IPC are not made out
against the petitioner. 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



Judicial Magistrate Ist Class,Pupri, Sitmarhi, in connection with Nanpur P.S. Case No. 172 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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