

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40624 of 2019

Arising Out of PS. Case No.-259 Year-2017 Thana- SHRIKRISHNAPURI District- Patna

SANJAY KUMAR @ LALLAN KUMAR @ LALLAN ROY, Son of Sri Jawahar Lal Roy, Resident of Village - Bengali Tola, Forbesganj, P.S. - Forbesganj, Dist. - Araria. At Present Hospital Colony, Bhurkunda, P.S. - Bhurkunda, Dist. - Ramgarh (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363 and 366/34 of the Indian Penal Code.

Though the victim-girl in her statement under Section 164 Cr.P.C. has alleged that the petitioner, who was a tenant in her house, in the past, took her forcefully and kept her at different places, rather the petitioner was in physical relation with her.

However, perusal of the entire statement reveals that she was a consenting party as she never made any protest while being carried for one place to another by the petitioner.

Learned counsel for the informant opposed the prayer



for bail on the basis of aforesaid material.

Considering the facts that actually the matter is of love affairs between the two and voluntarily elopement, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.K.Puri Police Station Case No. 259 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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