

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.38396 of 2019**

Arising Out of PS. Case No.-276 Year-2018 Thana- LAURIA District- West  
Champaran

- =====
1. RAJAN RAM, aged about 31 years, male, S/o Late Sudama Ram R/o Village- Nawalpur, P.S.- Nawalpur, District- West Champaran.
  2. Santosh Ram, aged about 30 years, male, S/o Kolai Ram R/o Village- Nawalpur, P.S.- Nawalpur, District- West Champaran.
  3. Jitendra Ram @ Jitendra Kumar, aged about 20 years, male, S/o Kolai Ram R/o Village- Nawalpur, P.S.- Nawalpur, District- West Champaran.
  4. Suraj Ram, aged about 19 years, male, S/o Lalan Ram R/o Village- Nawalpur, P.S.- Nawalpur, District- West Champaran.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioners : Mr. Bimlesh Kumar Pandey, Advocate.

For the Opposite Party: APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      27-06-2019                      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366A/34 of the Indian Penal Code registered in connection with Lauriya P.S. Case No. 276 of 2018.

3. It is submitted that the petitioners have been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 Cr. P.C. wherein she has categorically stated that she had voluntarily gone to Punjab and solemnized marriage with the petitioner no. 1 Rajan Ram. The age of the girl according to the medical report has been assessed as between 19-20 years. It is therefore submitted that the



ingredients of Section 366A of IPC are not satisfied. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Ist, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 276 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 of each of the petitioners shall be their close relatives other than the petitioners herein.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners 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, their bail bonds shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Ibrar/BT

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