

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46504 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- MAHILA PS District- Katihar

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BUNDEL MAHTO S/o Jay Lal Mahto R/o Village- Lila Ghat, Bind Tola,
P.S.- Falka, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 01-08-2019 Supplementary Affidavit has been filed on behalf of

petitioner wherein it is stated that as per medical report age of

victim is between 17-18 years. It is further mentioned in the

Supplementary Affidavit that there is no any Middle School in

Gopalpatti Ghat, Katihar, as alleged in the written report.

Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Sadar Mahila P.S. Case
No. 14/2019, instituted for offence under Section(s) 376, 504/34
of the Indian Penal Code read with Section 4 of POCSO Act.

Learned counsel for the petitioner has submitted that
victim had gone with this petitioner on her own consent and
lived with him in Ambala for one month.

Statement of victim has been recorded under Section



164 Cr.P.C. wherein she has stated that she had lived with this petitioner in Ambala for one month. Petitioner also established physical relationship with her. Thereafter petitioner brought her to Katihar on the pretext of performing marriage. The petitioner left her on Katihar Station and fled away.

In this manner, from the statement of victim recorded under Section 164 Cr.P.C. it appears that she had stayed with petitioner in Ambala for one month and thereafter gone to Katihar with him.

Petitioner is in custody since 18.06.2019.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 Chief Judicial Magistrate, Katihar, in connection with Sadar Mahila P.S. Case No. 14/2019, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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