

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51192 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- BALTHAR District- West Champaran

Anirudh Mahto @ Anurudh Mahto Son of Indal Mahto, Resident of Village-
Chota Dhankutwa, P.S-Balthar, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 29-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Balthar P.S. Case No. 43 of 2019 registered for the offences punishable under Sections 363, 366A, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the victim was in love with the petitioner who is also a boy of tender age of approx 18 years which will be evident of fardbeyan. Learned counsel further submits that both the families have settled their dispute, in this regard a compromise petition has already been filed before the court below. The petitioner is in custody since 21.05.2019.

Learned A.P.P. for the State has opposed the prayer for



bail.

Considering the facts and circumstances of the case, wherein it is the submission of the learned counsel for the petitioner that this petitioner was aged about 18 years at the time of alleged occurrence which is found mentioned in the FIR itself, the age of the victim girl has been assessed in between 15-17 years and both were neighbours as also from FIR itself it appears that the victim girl had left her house on her own with ornaments and cash of Rs. 30,000/- and then when she came back on 22.05.2019, she was having pregnancy for sixteen weeks, there appears that both of them being of tender age and below the maturity age had developed some relationship and now the investigation of the case is complete, no charge-sheet has been filed under Section 376 IPC and being the neighbours now they have amicably resolved the issue and the petitioner has also remained in custody for more than six months, let the petitioner above named be released on bail in connection with Balthar P.S. Case No. 43 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :



(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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