

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52556 of 2019

Arising Out of PS. Case No.-313 Year-2018 Thana- GOPALPUR District- Patna

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RAGBENDRA SAH @ RAJU KUMAR @ RAJBENDRA SAH Son of
Khelawan Sah Resident of Village - Madhopur Sunder, P.S.- Shyampur
Bhatha, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under sections
363 and 365 of the IPC.

It is submitted by counsel for the petitioner that from
perusal of FIR itself, it is apparent that alleged victim girl was
more than 17 years and she had gone to petitioner's home on her
own volition whereafter she has not returned. Referring to
Annexure 2 of bail application (copy of mark sheet of victim
girl), it is submitted that date of birth in the same is shown as
05.03.2000 and therefore, victim girl was a major. In fact,
victim girl and the petitioner has already married and the
prosecution case is false and baseless.



Petitioner has no criminal antecedent and is in custody since 20.03.2019.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the ACJM IX, Patna in Gopalpur P.S. Case no. 313/2018 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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