

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 52562 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- ARA NAGAR District- Bhojpur

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DHARMENDRA CHAUDHARY, aged about 25 years (Male), Son of Shivnath Singh Chaudhary, Resident of Village - Meerachak, P.S.- Ara Town in the district of Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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For the Petitioner/s : Mr.Prabhu Narayan Sharma

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks bail in a case registered under Sections 363, 366A of Indian Penal Code.

Learned counsel for the petitioner submits that even as per the records of the case, victim was born in the year, 2002 and, as such, at the time of alleged occurrence, she was 17 years old. From the statement of the victim girl recorded in the Court on 07.05.2019, which has been brought on record in the case diary, it is apparent that she has accepted that she had gone on her own volition and contacted the petitioner on her own as she was in talking terms with the petitioner since before. It is further submitted that petitioner is a man of clean antecedent as per the statements made in the application. It is also submitted that the petitioner is in custody since 06.05.2019.

Learned counsel for the informant submits that the



victim girl, admittedly, is a minor girl and, as such, the petitioner should not be granted bail in the instant case.

Considering the rival submissions, prayer for bail is allowed.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bhojpur at Ara in Ara Nagar Police Station Case No 191 of 2019 being GR No 1516 of 2019 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 bailors 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)

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