

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 53936 of 2019

Arising Out of PS. Case No.-42 Year-2019 Thana- THAKRAHA District- West Champaran

Ramesh Prasad @ Ramesh @ Tamatar Lal (Male) aged about 24 years, Son of Vishwanath Ram Resident of Village - Koreya, P.S.- Turk Patti, Distt - Kushinagar (U.P).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anant Kumar-1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 20-11-2019 Heard learned counsel for the parties and perused the case diary.

The petitioner seeks bail in Thakraha P.S. Case No. 42 of 2019 registered for the offence under Sections 363, 366(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that as per F.I.R., there is allegation of kidnapping of informant's daughter against petitioner and his sister, whereas, in the statement of victim girl recorded under Section 164 of the Cr.P.C., she has disclosed that she had voluntarily gone with the petitioner and she solemnized marriage with him. He further submits that the doctor, in the medical examination, has assessed the age of victim girl in between 17 to 19 years and has also found no sign of rape. It is further submitted that chargesheet has also been



submitted and as such, there is no chance of tampering with the evidence. The petitioner is having clean antecedent and he is in custody since 16.05.2019.

Considering the aforesaid facts and circumstances as well as statement of the victim girl recorded under Section 164 Cr.P.C., let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st Bagaha, West Champaran in connection with Thakraha P.S. Case No. 42 of 2019 on the following conditions:

(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J.)

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