

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54719 of 2019**

Arising Out of PS. Case No.-53 Year-2019 Thana- MUFFASIL District- West
Champaran

- =====
1. GUDDU RAM, aged about 24 years, male, Son of Bikau Ram Resident of Village - Chhota Barwat, P.S. - Bettiah (Mufasil), District - West Champaran.
 2. Krishna Ram, aged about 26 years, male, Son of Sohan Ram Resident of Village - Barwat Sena, P.S. - Bettiah (Mufasil), District - West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioners : Mr. Akhileshwar Kumar Shrivastva, Adv.
For the Opposite Party: Mr. Rina Sinha, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366(A), 384/34 of the Indian Penal Code registered in connection with Bettiah (Mufassil) P.S. Case No. 53 of 2019, G.R. No. 392 of 2019.

3. It is submitted that the petitioners have been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 Cr. P.C. wherein she has categorically stated that she had voluntarily gone to Delhi and also called Guddu Ram where she solemnized marriage with him. In her statement, she claimed to be of 20 years of age. It is therefore submitted that the ingredients of Section 366A IPC are not satisfied. The petitioner no. 2 has been implicated merely because he happens to be a relative of Guddu Ram. The petitioners claim clean antecedents.



4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah (Mufassil) P.S. Case No. 53 of 2019, G.R. No. 392 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

lbrar//-

U		T	
---	--	---	--

