

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5807 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

Sunil Prasad Kushwaha, Son of Shambhu Prasad @ Shambhu Prasad
Kushwaha R/o Village- Madhubani Ghat, P.S. - Mufassil, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL ORDER

2 06-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 363, 365 and 366/34 of the
Indian Penal Code.

The FIR was lodged with allegation that the victim a
minor girl was kidnapped by the named persons and was
allegedly raped by co-accused Baiju. Allegation is that the
petitioner was also there. Petitioner is in custody since
16.03.2018.

Submission is that the subsequent development is that
the victim has already been examined during trial of the case
and she has not even identified the petitioner in Court, rather



levelled allegation of rape against other persons.

Considering the aforesaid material, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mufassil Police Station Case No. 99 of 2018, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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