

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57889 of 2019**

Arising Out of PS. Case No.-77 Year-2019 Thana- SANOKHAR District-
Bhagalpur

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DHARMENDRA YADAV @ DHARMENDRA KR. YADAV, aged about 21
years, Son of Ram Charan Yadav @ Futeshar Yadav Resident of Village-
Choti Naki, P.S.- Sanokhar, District- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party: Mr. Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 366A/34 of the Indian Penal Code
registered in connection with Sanokhar P.S. Case No. 77 of 2019.

3. It is submitted that the petitioner has 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 accompanied the
petitioner. It is further stated that the informant's daughter was
major on the alleged date of occurrence, her date of birth being
01.01.2000 as evident from her Aadhar Card (Annexure-4). It is
further stated that the petitioner and the informant's daughter
have solemnized marriage on 02.07.2019 in respect of which
marriage certificate no. 93 dated 02.07.2019 has been issued by
Sri Brahamchari Baba Mandir (Annexure-3 series). The
petitioner claims clean antecedents.



4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Sanokhar P.S. Case No. 77 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 petitioner.

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

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself 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 petitioner 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, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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