

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.79515 of 2018**

Arising Out of PS. Case No.-351 Year-2018 Thana- PUPRI District- Sitamarhi

Devendra Kumar @ Chhotu Kumar, S/o Shivji Rai, R/vill-Bhakurahiya, Ward no.2, P.S-Pupri, Distt.-Sitamarhi.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

|                    |   |                                                            |
|--------------------|---|------------------------------------------------------------|
| For the Petitioner | : | Mr.Ashok Kumar Jha, Advocate.                              |
| For the State      | : | Mr. Satyendra Narayan Singh, A.P.P.                        |
| For the Informant  | : | Mr. Manish Rai Sharma & Mr. Dr. Amrendra Kumar, Advocates. |

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      04-02-2019                      Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 363 and 366(A)/34 of the IPC.

The prosecution story, in brief, is that the minor daughter, namely, Pinki Kumari of the informant, aged about 15 years has been enticed away by the petitioner and other accused persons while she had gone outside for defecation.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated



in the present case. The victim girl has been examined under Section 164 Cr. P.C. No allegation of sexual harassment is alleged against the petitioner. The Medical Board has assessed the age of the victim around 18 years.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi, in connection with Pupri P.S. Case No. 351 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

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