

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59518 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- SATHI District- West Champaran

RINKU KUMAR Son of Sri Bharat Sahani Resident of Village - Telpur, P.S.-
Lauriya, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 23-09-2019 Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363, 366A, 504 of the Indian Penal Code registered in connection with Sathi P.S. Case No. 62 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 and solemnised marriage with him, as her marriage was fixed by her parents against her wishes. The victim girl in her statement has admitted her age to be of 19 years. It is therefore, submitted that the ingredients of Section 366A of IPC are not satisfied. The petitioner claim 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 CJM, West Champaran at Bettiah, in connection with Sathi P.S. Case No. 62 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 co-operate 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. 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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