

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77854 of 2018

Arising Out of PS. Case No.-28 Year-2018 Thana- MIRGANJ District- Gopalganj

Rama Chaudhary S/o Late Ramkuwar Chaudhari, R/o Vill.- Kushaundhi, P.S.-
Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Sri Kalyan Shankar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 03-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mirganj P.S. Case No. 28 of 2018 (G.R. 554 of
2018) registered for the offences punishable under Sections
363, 366A and 34 of the Indian Penal Code.

Informant who is the father of victim has alleged in
his written complaint that his minor daughter Neha Kumari has
been enticed by the petitioner for purpose of marriage.

It has been submitted on behalf of the petitioner that he
is innocent and has committed no offence. He has been falsely
implicated in this case due to previous enmity. The girl was
recovered and in her statement recorded under Section 164 of
Cr.P.C. has stated that she had gone with the petitioner out of her



own sweet will and volition and thereafter they have solemnized marriage.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XVI, Gopalganj, in connection with Mirganj P.S. Case No. 28 of 2018 (G.R. No. 554 of 2018) , subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.
- (3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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