

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72153 of 2019

Arising Out of PS. Case No.-174 Year-2016 Thana- ARIYARI District- Sheikhpura

LALAN CHOWHAN Son of Late Ramjee Chowhan Resident of Village-
Belkhundi, P.S.- Ariyari, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 363 and 366A of the Indian Penal Code and Section 8 of POCSO Act.

Informant in his written complaint has alleged that on 13.12.2016 at 7:00 pm his daughter Sarita Kumari had gone outside the village to attend the call of nature but thereafter she did not return and even after much search her whereabouts could not be ascertained and thereafter he came to know that petitioner enticed away her daughter and fled away.

Statement of the victim girl was recorded by the Magistrate under Section 164 of the Cr.P.C in which she has admitted that she had gone with the petitioner on her own volition and sweet will and thereafter they have solemnized



marriage and from said wedlock one child is also born. The girl is major. Petitioner has got no criminal antecedent and is in custody since 24.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Ariyari P.S. Case No. 174 of 2016**, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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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