

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74033 of 2019

Arising Out of PS. Case No.-139 Year-2019 Thana- DHANAHA District- West Champaran

HARIKESH KUSHWAHA Son of Late Mahesh Kushwaha Resident of
Village- Parari Mahadeva, P.S.- Ramkola, District- Kushi Nagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 363 and 366A of the Indian Penal Code.

Informant who is the brother of victim girl in his written complaint has alleged that his sister is minor and petitioner has enticed her away for the purpose of marriage. The girl returned to her house and her statement was recorded under Section 164 of Cr.P.C in which she has denied the allegation of abduction and has stated that as her Bhabhi had scolded her she went to her maternal uncle's house and thereafter returned when she came to know that a case for her abduction has been instituted.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case. Petitioner has got no criminal antecedent and is in custody since 05.09.2019.

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 **Dhanaha P.S. Case No. 139 of 2019**, 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/her absence on two consecutive dates without sufficient reason, his/her 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)

ranjan/-

U			
---	--	--	--

