

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 74422 of 2019**

Arising Out of PS. Case No.-235 Year-2019 Thana- BAKHTIARPUR District- Saharsa

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DHARMENDRA YADAV @ DHARO YADAV @ DHAARO YADAV Son of
Suresh Yadav Resident of Village - Karua, P.O.- Rampur, P.S.- Bakhtiarpur,
District - Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Nagendra Prasad

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner apprehends arrest in a case registered under
Sections 363 and 366 of Indian Penal Code.

It is submitted by the petitioner's counsel that from
the deposition of the alleged victim, it is obvious that she was a
major and had explicitly submitted in her deposition under
Section 164 of Criminal Procedure regarding there being no act
of molestation. The deposition of the victim belies the
prosecution story as per the allegations made by her mother.

Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is
inclined to accept the submission of the petitioner's counsel.



Let the petitioner above named, in the event of his arrest or surrender within four weeks from today, shall be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in Bakhtiarpur (Balwahaat OP) Police Station Case No 235 of 2019 subject to all conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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