

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81424 of 2019

Arising Out of PS. Case No.-100 Year-2019 Thana- SATHI District- West Champaran

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AJAY KUMAR @ AJAY KUMAR CHAURASIYA Son of Bikau Bhagat @
Bharma Bhagat @ Bikarma Chaurasiya @ Bikram Bhagat Resident of
Village- Awariya, Barai Tola, P.S.- Banuchhaper, District- West Champaran.
... .. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Advocate
For the Opposite Party/s : Mr.Bharat Lal,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking anticipatory bail
in connection with Sathi P.S. Case No. 100 of 2019 registered
for the offence punishable under Section 363, 366(A)/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case as the victim
in her examination under Section 164 Cr.P.C. has not supported
the case lodged by her father. It is further submitted that in
medical examination the victim has been found aged about 19
years and the victim categorically stated in her statement under
Section 164 Cr.P.C. that she wants to marry this petitioner.

Learned APP has opposed the prayer of bail of the
petitioner.



Considering the facts and circumstances of the case wherein the medical board has examined the victim girl and she has been found to be age of above 19 years and in her statement under Section 164 Cr.P.C. she has categorically stated that she had herself left the house and went to this petitioner at Patna and then she had gone to the Mahila Police Station where she remained for three days and then she disclosed that on her own will and volition she wants to marry this petitioner, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Sathi P.S. Case No. 100 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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