

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.452 of 2019

Arising Out of PS. Case No.-206 Year-2016 Thana- BARHARA KOTHI District- Purnia

Aloknath Tiropati, son of Shyam Sundar Paswan, resident of Village- Agman
PO- Sahsaal PS- Basnahi, District, Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Prabhakar

For the Opposite Party/s : Mr.Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 12-03-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 363, 366(A) of the Indian Penal Code.

Allegation against the petitioner is to have allured the minor daughter of the informant and kidnapped her for the purpose of marriage.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that the statement of victim girl was recorded under Section 164 Cr.P.C. and from para 28 of the case diary, it appears that no forceful act has been attributed against the petitioner. It has further been submitted that from the medical report of the victim girl, her age was found in between



18 to 19 years and no sign of sexual assault was found at the time of examination which falsifies the entire prosecution version. Petitioner has no criminal antecedent and he is in custody since 13.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Barhara (Raghubansh Nagar) P.S. Case No. 206/2016 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)

Sanjay/-

U		T	
---	--	---	--

