

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79091 of 2019

Arising Out of PS. Case No.-56 Year-2019 Thana- MARANCHI District- Patna

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Shekh Mehboob, aged about 18 years, Gender-Male, Son of Md. Kalam @ Kalam Mondal Resident of Mohalla - Haripur Colliery New Centre, P.S.- Pandeswar, Distt - Barddhaman (West Bengal) at present residing at Shafique Nagar, P.S.- Andal, Distt - Burddhaman (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Babita Kumari

For the Opposite Party/s : Mr.Choubey Jawahar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Marachi (Pachmahla) P.S. Case No. 56 of 2019 registered for offences under sections 363, 366(A) of the Indian Penal Code.

As per statement of the victim girl made under Section 164 of the Cr.P.C., a call was given by the petitioner whereupon she went to Badhiya station from where an impression was given to go along with him to meet her parents whereafter they went to the Asansole to the house of his sister and reached there on 16.6.2019. On 17.6.2019, his sister gave her cold-drinks whereafter she became unconscious and regain



her conscious at 5 O'clock when the petitioner was watching T.V. Thereafter on 19.6.2019, his sister carried the girl and left her at Haripur from where she gave a call to her maternal uncle, he came there and took her to her house. She has stated in her statement that she want to live with her family members.

Learned counsel for the petitioner submits that the girl on her own will had gone to Badhiya station and there was no pressure at all.

The petitioner is in custody since 17.9.2019.

Looking to the facts and circumstances of the case a also the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Barh, Patna in connection with Marachi (Pachmahla) P.S. Case No. 56 of 2019, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioner would cooperate the proceeding of the court below. In event of failure to appear on



two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioner will report to the Marachi (Pachmahla) police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioner will be treated to have been canceled.

(Shivaji Pandey, J)

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