

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1853 of 2020

Arising Out of PS. Case No.-484 Year-2019 Thana- MUFFASIL District- West Champaran

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CHANDESHWAR MUKHIYA Son of Late Sheo Pujan Mukhiya Resident of
Village - Amwamathar, P.S.- Bettiah (Muffasil), Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in **Bettiah Muffasil P. S. Case**
No. 484 of 2019 instituted for the offence under Section(s)
366A/34 Indian Penal Code.

As per prosecution case, the petitioner has taken away the
daughter of informant and handed her over to co-accused,
namely Saheb Manjhi. The date of occurrence, as per allegations
made in the F.I.R., is on 27.07.2019. The F.I.R., however, has
been lodged on 24.08.2019. It is submitted by the petitioner's
counsel that as an afterthought the FIR has been lodged after so
much delay, for which, there is no explanation. Further, the



deposition of victim (daughter of informant) has been recorded under Section 164 Cr.P.C.. It is her specific averments in the deposition that on her own volition she had gone with co-accused, namely, Saheb Manjhi. In the entire deposition, it is submitted that the petitioner's name has not been taken by the victim girl. The age has been disclosed by the victim herself in the deposition as 19 years and the petitioner is in custody since 03.09.2019. It is also submitted that the petitioner has no criminal antecedents.

The learned APP for the State opposed the prayer for bail.

Considering the aforesaid, 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 the **CJM Bettiah, West Champaran**, in connection with **Bettiah Muffasil P. S. Case No. 484 of 2019** subject to the following conditions:-

(i) 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.

(ii) That the petitioner will be well represented on each



date and if he fails to do so on two consecutive dates, his bail
bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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