

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7408 of 2020

Arising Out of PS. Case No.-190 Year-2019 Thana- GARKHA District- Saran

Raushan Kumar Son of Bharat Sah Resident of Village - Mohammadpur, P.S.-
Garkha, Distt - Saran at Chapra Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Srivastva, Advocate

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking anticipatory bail in connection with Garkha P.S. Case No. 190 of 2019 registered for the offences punishable under Sections 363, 366/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. The victim in her statement under Section 164 Cr.P.C. has not supported the prosecution story rather she has stated that she has performed marriage with this petitioner out of her own sweet will and wants to live with him.

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

Considering the facts and circumstances of the case wherein the victim girl was found aged in between 17-18 years in the medical report, she was found pregnant carrying pregnancy of about



8 weeks and she has herself stated in her statement under Section 164 Cr.P.C. that she had gone Surat (Gujarat) on her own will and solemnized marriage with the petitioner and she wants to live with him, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Garkha P.S. Case No. 190 of 2019 be released on bail on furnishing of bail bonds of Rs.15,000/- (fifteen thousand) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-XIV, Saran at Chapra, subject to the conditions 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 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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