

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18818 of 2020

Arising Out of PS. Case No.-152 Year-2019 Thana- RAMPUR District- Gaya

1. AMIT KUMAR Son of Uday Prasad @ Uday Tanti Resident of Mohalla - Gewal Bigha, P.S.- Rampur, District - Gaya.
2. Uttam Kumar Son of Uday Prasad @ Uday Tanti Resident of Mohalla - Gewal Bigha, P.S.- Rampur, District - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-06-2020 Heard learned counsel for the parties.

This application for grant of regular bail arises out of Rampur P.S. Case No.152 of 2019 registered for the offence punishable under Section 365 of the Indian Penal Code.

The petitioners are in custody since 15.07.2019 and 17.07.2019 respectively. Written report of the informant, the father of the victim, is the basis for registration of the First Information Report. The victim is admittedly 18 years of age, as mentioned in the First Information Report. The victim was found missing for few days, which led to registration of the First Information Report nearly eight days after the victim was found missing. One Md. Qadir was named in the First Information Report as the person with whom the victim might have eloped.



The petitioners' name has surfaced on the basis of statement of the victim recorded under Section 164 of the Code of Criminal Procedure. It is submitted on behalf of the petitioners that they have been falsely implicated in this case because of previous dispute. He has further submitted that there is no material to suggest any sexual assault.

In the facts and circumstances of the case since the petitioners are in custody since July, 2019, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Gaya, in Rampur P.S. Case No. 152 of 2019.

(Chakradhari Sharan Singh, J)

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