

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18788 of 2020

Arising Out of PS. Case No.-502 Year-2019 Thana- SIRDALA District- Nawada

RAJU KUMAR Son of Late Putu Manjhi Resident of Village - Bairiadih,
P.S.- Sirdlla, District - Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Vishwa Ranjan Choudhary, Advocate

For the Opposite Party : Mr.Umeshanand Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-06-2020

Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offences punishable under Sections 376 and other allied sections of the Indian Penal Code.

Prosecution's case, in brief, is that the petitioner made physical relation with the informant on the pretext of marrying her. He also got her aborted during the aforesaid period.

Learned counsel appearing for the petitioner, denying the allegations, submits that the petitioner has falsely been implicated in this case. Referring to the statement of the victim in her section 164 Cr.P.C., he submits that the petitioner, with the consent of the victim, stayed with her for years as husband and wife. Her age in the said statement has been disclosed as 19 years. In paragraph 9 of the bail petition, the petitioner has



averred that he wants to have the victim as a wife. Charge sheet has also been filed in the case. Petitioner has got no criminal antecedent and he is in custody since 18.12.2020.

Considering the facts of the case, 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 Additional Chief Judicial Magistrate VI, Nawada in Sirdalla Police Station Case No. 502 of 2019 on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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