

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28546 of 2020

Arising Out of PS. Case No.-228 Year-2019 Thana- TARIYANI CHOWK District- Sheohar

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MOHAN KUMAR @ MOHAN BHAGAT Son of Kishori Bhagat Resident of
Village - Fatahapur, P.S.- Tariyani, Dist.- Sheohar. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-11-2020 Heard Mr. Shailendra Kumar Jha, learned counsel for

the petitioner and Mr. Narsingh Tanti, Additional Public Prosecutor

for the state through video conferencing.

2. Petitioner seeks regular bail in connection with

Tariyani PS Case No. 228/2019 registered for the offence punishable

under Sections 363, 366(A)/34 of the IPC.

3. The allegation, as per First Information Report, is that

the petitioner along with other accused persons have abducted the

minor grand daughter of the informant.

4. Learned counsel for the petitioner submits that the

petitioner has falsely been implicated in this case inasmuch as the

statement of the grand daughter of the informant has been recorded

under Section 164 CrPC which is Annexure-2 and from perusal of

Annexure-2, it would be evident that the victim girl has categorically

stated that she has performed marriage with the petitioner and out of

the said wedlock, one child has taken birth and she has disclosed her

age before the learned Magistrate as 22 years.



5. Learned counsel further submits that from perusal of the Medical Report at Annexure-3, it would be evident that the doctor has assessed the age of the victim between 20 to 22 years.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the statement of the victim recorded under Section 164 CrPC, I am inclined to grant regular bail to the petitioner.

7. Accordingly, let the petitioner, MOHAN KUMAR @ MOHAN BHAGAT 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-II, Sheohar in connection with Tariyani PS Case No. 228/2019.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

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(Anil Kumar Sinha, J)

