

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33128 of 2020

Arising Out of PS. Case No.-99 Year-2019 Thana- MAINATAND District- West Champaran

JITENDRA RAM Son of Late Sitam Ram Resident of Village - Rampurwa,
P.S.- Maqinatand, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 33130 of 2020

Arising Out of PS. Case No.-97 Year-2019 Thana- MAINATAND District- West Champaran

JITENDRA RAM Son of Late Sitam Ram Resident of Village - Rampurwa,
P.S.- Mainatand, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 33128 of 2020)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Kumar (APP)

(In CRIMINAL MISCELLANEOUS No. 33130 of 2020)

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Parmanand Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-12-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

These applications for grant of regular bail arises out
of Mainatand P.S. Case No. 97 of 2019 and Mainatand P.S. Case
No. 99 of 2019 registered for the offences punishable under
Sections 341, 504, 354, 506, 364, 366A/34 of the Indian Penal



Code and Section 7 of the POCSO Act.

Both the applications seeking regular bail, have been filed by the same petitioner.

Cr. Misc. No. 33130 of 2020 arises out of Mainatand P.S. Case No. 97 of 2019 registered by the alleged victim on 20.11.2019, in respect of alleged occurrence of 11.11.2019, complaining therein that the petitioner and a co-accused had outraged her modesty. Cr. Misc. No. 33128 arises out of Mainatand P.S. Case No. 99 of 2019 registered on 24.11.2019 by the father of the informant of Mainatand P.S. Case No. 97 of 2019 alleging kidnapping of his minor daughter by the petitioner and a co-accused, for marriage.

Learned counsel appearing on behalf of the petitioner has at the outset drawn my attention to statement of the alleged victim, who is informant of Mainatand P.S. Case No. 97 of 2019, recorded under Section 164 of Cr.P.C., to contend that the entire case of the prosecution stands belied and as a matter of fact, the alleged victim, who is a major, has admitted her marriage with the petitioner, in her statement.

On perusal of the statement of the alleged victim, recorded under Section 164 of the Cr.P.C., I find substance in submission made on behalf of the petitioner.



These applications are accordingly allowed.

Let the petitioner, 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 S.D.J.M., Bettiah, West Champaran, in Mainatand P.S. Case No. 97 of 2019 and Mainatand P.S. Case No. 99 of 2019.

(Chakradhari Sharan Singh, J)

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