

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83312 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- HARLAKHI District- Madhubani

Raj Kumar Raut, Son of Paltoon Raut Resident of A-151, Kauaha, District-
Madhubani

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Jaiveer Rout Son of Ram Vilash Rout Resident of Village - Koaha, P.S.-
Harlakhi, District - Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Piyush Saurav, Adv.

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 19-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the O.P. No.2 assisted by learned APP.

Learned counsel for the petitioner has approached this
Court for cancellation of regular bail granted to the O.P. No.2,
vide order dated 23.10.2019 passed in Cr. Misc. No.65875 of
2019.

Learned counsel appearing for the petitioner submits
that the bail has been obtained by O.P. No.2 by playing fraud
upon the Court. He further submits that the date of birth of his
daughter is 06.09.2003 and, therefore, the daughter of the
petitioner is a minor, not major, as fraudulently has been stated
by the O.P. No.2 before this Court.

Learned counsel appearing for the O.P. No.2 submits



that O.P. No.2 was granted bail only on four grounds that the victim girl is major and she did not support the prosecution version as recorded under section 164 Cr. P.C. The petitioner has got no criminal antecedent and petitioner is in custody since 15.10.2018.

Bail was granted to O.P. No.2 on totality of the grounds urged and not on the sole ground of victim being a major.

Having regard to the facts available on record, I find that no ground has been made for cancellation of bail granted to O.P. No.2.

Prayer for cancellation of bail is, accordingly, dismissed.

(Arvind Srivastava, J)

Prakash Narayan /-

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