

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19469 of 2022

Arising Out of PS. Case No.-137 Year-2018 Thana- BANGAWON District- Saharsa

ANAND KUMAR JHA Son of Bachneswar Jha Resident of village - Jajauri,
P.S.- Mahishi, District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
Sessions Trial No. 34/2021 arising out of Bangaon P.S. Case No.
137 of 2018 registered for the offences punishable under
Sections 363 and 366-A/34 of the Indian Penal Code.

This is second attempt for grant of regular bail on
behalf of the petitioner inasmuch as earlier the bail application
of the petitioner was rejected by this Court vide order dated
4.2.2022 passed in Cr. Misc. 34210 of 2021 with liberty to
renew his prayer for grant of regular bail after framing of charge
and after statement of the victim girl is recorded by the trial
court.

The prosecution story is that the petitioner abducted



the minor sister of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that charges under Section 363, 366-A read with Section 34 of the Indian Penal Code has been framed against the petitioner on 9.2.2022 and the trial has commenced in which the deposition of the victim girl has been recorded. He further submits that the victim girl has not supported the prosecution story which would be evident from Annexure-6 and in her deposition she has stated that she was not physically abused at any point of time and the Doctor has assessed her age between 17-19 years.

Regards being had to the submission made by the parties and taking into consideration the fact that charges against the petitioner has already been framed and the victim girl has not supported the prosecution story in her deposition, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Saharsa, in connection with Sessions Trial No. 137/2018 arising out of Bangaon P.S. Case No. 137 of 2018 subject to the condition that that petitioner shall cooperate in the trial and shall be



properly represented on each and every dated fixed by the court and shall remain physically present, as directed by the court below and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the court below.

(Anil Kumar Sinha, J)

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