

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64481 of 2021

Arising Out of PS. Case No.-64 Year-2019 Thana- BALIYA District- Begusarai

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Gaurav Kumar Son Of Prakash Ram Resident Of Village - Sahebpur Kamal,
P.S.- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Section 366(A)/ 34 of the Indian
Penal Code.

The learned counsel for the petitioner submits that the
petitioner is in custody since 23.09.2019, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that on 23.02.2019, the minor
daughter of the informant went to the market for purchasing the
vegetables, but did not return and after search of her, he could
not be traced.



The learned counsel for the petitioner submits that petitioner has been falsely implicated in the case. The victim has returned and her statement was recorded under Section 164 of the Cr.P.C. where she disclosed her age as 19 years and has not supported the prosecution case as would be evident from Annexure-2 to the bail application.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and the victim has not supported the prosecution case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with POCSO Case No.16 of 2019 arising out of Balia P. S. Case No.64 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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