

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2156 of 2015

Arising Out of PS.Case No. -658 Year- 2014 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Pankaj Kumar S/O Late Raghunath Ray Resident of Mohalla-Sikandarpur
,P.S-Town,Distt.-Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3. 03.03.2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Town P.S. Case No.
658 of 2014 dated 13.08.2014 instituted under Sections 376D
of the Indian Penal Code and 12/17/18 of The Protection of
Children from Sexual Offences Act, 2012.

Learned counsel for the petitioner submits that
though as per the allegation, the petitioner is also said to have
committed rape but this is a case of false implication and
rather only by chance, the petitioner was present at the spot
and in fact was trying to save the girl which has been narrated
by the victim herself before the Court in her statement under
Section 164 of the Code of Criminal Procedure, 1973 where the
Court had noted that the statement was being recorded in
presence of the mother of the victim girl. It is submitted that

the girl has categorically stated that the petitioner has in fact tried to save her and that he had not committed any wrong act. Learned counsel submits that the petitioner having clean antecedent is in custody since 13.08.2014.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Additional Sessions Judge, Muzaffarpur in Town P.S. Case No. 658 of 2014. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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