

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30782 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -NAWADA District- NAWADA

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1. Gaurav Kumar, son of Navin Singh, resident of Village- Dhanwara, P.S. Akbarpur, Dist.- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sri Chaubey Jawahar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

7 21-08-2017 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Petitioner is languishing in judicial custody since 18.03.2017 in connection with Town (Nawada) P.S. Case No. 85 of 2017 for offences punishable under Sections 366(A)/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while his daughter was going to school, the petitioner came in his motorcycle and asked the informant whether he would drop her to school thereafter, she did not return.

It has been submitted by the learned counsel for the petitioner that he is innocent, no overt act has been committed by



the petitioner and the victim girl has also stated in her statement under Section 164 Cr.P.C. before the Magistrate that she went with the petitioner out of her own sweet will to Ranchi for 2-3 days. He submits that charge-sheet has already been submitted and there is no allegation of tampering of prosecution witnesses by the petitioner.

However, learned counsel for the informant and learned APP opposes the prayer for bail stating therein that petitioner does not have a clean antecedent and two cases are pending against him for different offences and on raid in his house, number of articles have been recovered hence, vehemently opposes the prayer of bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nawada in connection with Town (Nawada) P.S. Case No. 85 of 2017 subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear



before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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