

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4327 of 2017**

Arising Out of PS.Case No. -95 Year- 2016 Thana -ALOULI District- KHAGARIA

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1. Prem Kumar Sah Son of Manoj Sah, Resident of Village-Amba, P.S.-  
Alouli, District-Khagaria.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. U.L. Verma (App)

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      10-02-2017      Heard the parties.

This application has been filed in connection with Alauli  
P.S.Case No.95 of 2016 for the offence under Sections 366(A)/34  
of the Indian Penal Code.

It is submitted on behalf of the petitioner that there is delay  
in lodging the F.I.R. and further statement of the girl has been  
recorded under Section 164 Cr.P.C., in which she has not stated  
anything about this petitioner.

Heard learned A.P.P. also.

Having heard both sides. In view of the statement of the girl  
made under Section 164 Cr.P.C., in which she has not stated a  
single word about this petitioner and her age has been assessed as  
21 years by the learned court below, let the petitioner, above



named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Khagaria in connection with Alouli P.S.Case No.95 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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