

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18970 of 2017

Arising Out of PS.Case No. -979 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Abbu Kumar @ Abri Kumar Son of Ashok Singh, Resident of Mohalla-
Noorabganj, Wauliya Road, Sasaram, P.S.-Sasaram(T), District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Mr. Sri Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with G.R.No. 2042 of 2016 in connection with Sasaram (T) P.S.Case No.979 of 2016 , registered for offences punishable under Sections 366(A), 372, 373, 376(2)(n) and 367(D) of the Indian Penal Code.

The petitioner is not named in the F.I.R. and it appears that his name transpired during the course of investigation of this case. This case is under Section 366 (A) of the I.P.C.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case, which will appear from the fact that even victim girl has not taken the name of the petitioner in her statement under Section 164 Cr.P.C. The petitioner is in custody



for more than four months.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that he has not been named in the statement made under Section 164 Cr.P.C. of the victim girl, as such, let the petitioner, above named, be enlarged 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., Sasaram, District- Rohtas in h G.R.No.2042 of 2016 read in connection with Sasaram (T) P.S.Case No.979 of 2016.

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 disposal of trial and make himself available as and when required by the court 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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