

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18896 of 2017

Arising Out of PS.Case No. -111 Year- 2016 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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Vicky Kumar, son of Umesh Paswan, Resident of Village- Manjhaul, P.S.-
Cheriya Bariyarpur, District- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-04-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Cheriya Bariyarpur (Manjhaul) P.S.Case No. 111 of 2016
registered for the offences punishable under Section 366A of the
Indian Penal Code.

Petitioner is not named in the FIR but later on his
name transpires during course of investigation of the case

It has been submitted on behalf of the petitioner that
the statement under Section 164 Cr.P.C of the victim girl shows
that she had gone on her own sweet will with accused Raja,
Rajeev and others, including the petitioner and co-accused,
namely, Sagar Paswan, Bhushan Paswan and Rajesh Paswan, have
been granted bail by this Court in Cr.Misc.No. 46567 of 2016 and
Cr.Misc.No. 43589 of 2016, vide orders dated 1.12.2016 &
22.10.2016 respectively and petitioner is in custody for three
months.

Heard learned APP also.

Having heard both sides and in view of the fact that



no specific overt act has been alleged against the petitioner and other co-accused have been granted bail, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Manjhaul, District Begusarai, in connection with Cheriya Bariyarpur (Manjhaul) P.S.Case No. 111 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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