

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36606 of 2017

Arising Out of PS.Case No. -422 Year- 2017 Thana -AHIAPUR District- MUZAFFARPUR

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Sanjeev Kumar Son of Ram Kumar Mehta, R/o Village- Kothiyan, BMP-06, P.S.- Mithanpura, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Parasmani, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 08.06.2017 in connection with Ahiyapur P.S. Case No. 422 of 2017 for the offences alleged under Sections 363, 366A and 504/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the driver of the relevant Scorpio vehicle which was parked near the place from where the victim girl was recovered. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant submits that attempts were being made to take the girl in the Scorpio vehicle when they were prevented by the arrival of police. The petitioner is the driver of the Scorpio vehicle and the involvement in the occurrence is apparent.

5. A perusal of paragraph-69 of the case diary in which the details of the victim's statement under Section 164 Cr.



P.C. has been narrated in which the petitioner has not been named.

6. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Ahiyapur P.S. Case No. 422 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/BT

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