

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53939 of 2016

Arising Out of PS.Case No. -1172 Year- 2016 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Rahul Kumar Son of Laxmi Sah resident of Mohalla - Baradari, P.S.
Sasaram (T), District - Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arti Kumari
For the Opposite Party/s : Mr. Sri Ataur Rahman
For informant ; Mr. Rajnikant Singh.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-01-2017 The petitioner is in custody since 23.10.2016 in connection with Sasaram (T) P.S. Case No. 1172 of 2016, registered for offences punishable under Sections 366A/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that though he is named in the F.I.R. but there is nothing to connection the petitioner in the present case. However the girl has now been recovered and she in her statement recorded under Section 164 of the Cr.P.C. has not named this petitioner rather she has stated that she left the house out of her own sweet will as her father wanted to perform her marriage and also other co-accused having similar allegations, has already been granted bail by this Court vide order



dated 12.01.2017 passed in Criminal Miscellaneous No. 54483 of 2016 and the petitioner is in custody since 23.10.2016

Heard learned A.P.P. for the State as well as learned counsel appearing on behalf of the informant. Learned counsel for the informant has submitted that due to the intimidation of the accused person, the girl in her statement recorded under Section 164 of Cr.P.C. has not named the petitioner. However, a protest petition has been filed by her in this regard.

Having heard both sides, considering the facts and circumstances of the case, the period of custody and also that the petitioner has no criminal antecedent and also that the girl in her statement recorded under Section 164 of Cr.P.C. has not named this petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (T) P.S. Case No. 1172 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 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 reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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