

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55816 of 2018

Arising Out of PS.Case No. -87 Year- 2017 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Sanjay Kumar S/o Harendra Sah, R/o Vill.- Fatyabad, P.S.- Hajipur
Sadar, District- Vaishali.

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sunil Kumar Singh, Adv
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Section 366(A) IPC registered in connection with
Hajipur Sadar P.S. Case No. 87 of 2017.

3. It is submitted that the petitioner has been falsely
implicated as evident from the deposition of the so-called victim
girl recorded under Section 164 Cr. P.C. in which her age is
assessed to be about 19 years. It is submitted that the ingredients
of the offence alleged has not been made out as the deponent has
stated that she accompanied the petitioner voluntarily and with
whom she has solemnized marriage. The petitioner claims clean
antecedents.

4. Having regard to the entirety of the facts and
circumstances, as such, in the event of the petitioner's arrest or
surrender before the court below within six weeks from the date of



communication of this order, let the above named petitioner 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, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 87 of 2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further 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 co-operate 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.

(iv) 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.

(Vikash Jain, J)

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