

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1993 of 2019

Arising Out of PS. Case No.-131 Year-2018 Thana- AMAUR District- Purnia

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Sawan Kumar aged about 25 years, (M), Son of Sri Padmanand Mahaldar
Resident of Village- Dubaili, P.S.- Dagarua, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 01-04-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered for
the offences punishable under Sections 363, 366 (A) and 34 of
the Indian Penal Code.

Informant has stated in his written complaint that her
minor daughter Dishana Pravin on 11.07.2018 in the night at
about 9:30 P.M. went outside on the false plea of attending call
of nature and thereafter fled away with the petitioner, however,
both were apprehended and brought to their house and
Panchayati was held, however on 15.07.2018 in the night at
about 1:00 A.M. she found the door open from inside and even
after much search her daughter could not be located and she



suspected that she has fled away with the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Victim was examined by the medical board which has assessed her age as 16 to 17 years and no sign of rape has been found on the persons of victim. Petitioner has got no criminal antecedent and is in custody since 23.08.2018.

Learned counsel for the Informant vehemently opposes the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Special Case No. 146 of 2018/ CIS No. 146 of 2018 arising out of Amour P.S. Case No. 131 of 2018**, with following condition:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court



below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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