

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21506 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- WARISNAGAR District- Samastipur

Md. Ataul @ Mohammad Ataul @ Ataur Rahman, Male aged about 48 years,
Son of Late Abdul Karim Bax Resident of Village-Milki, P.S.- Warisnagar,
District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bijay Bhushan Prasad, Advocate
For the Opposite Party : Mr.Jitendra Kr. Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 16-07-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 363, 366 and 366(A)/34 of the Indian Penal Code registered in connection with Warisnagar P.S. Case No. 160 of 2018.

3. It is submitted that the petitioner has been falsely implicated as the accusations are not corroborated by the statement of the victim girl recorded under Section 164 of the Cr.P.C. in which she has specifically named Ishrat Parween along with Lata and latter's son Gulab Jamun who is said to have kidnapped her and taken her to Hyderabad. The petitioner claims clean antecedents.

4. Be that as it may, 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, Samastipur in connection with Warisnagar P.S. Case No. 160 of 2018, subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C. and with 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 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) That 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)

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