

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19145 of 2019

Arising Out of PS. Case No.-420 Year-2018 Thana- ALOULI District- Khagaria

1. KUNDAN KUMAR S/o Dilip Singh @ Dilip Kumar
 2. Dilip Kumar @ Dilip Singh S/o Late Bhikho Singh
 3. Subin Kumar S/o Nawal Singh
 4. Lalita Devi W/o Dilip Singh @ Dilip Kumar
- All 1 to 4 are Resident of Village-Chatar, P.S.-Alauli, District-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 366A/34,120(B)/34 IPC registered in connection with Alauli P.S. Case No. 420 of 2018.

3. It is submitted that the petitioners have been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 Cr.P.C. wherein she has categorically stated that she had voluntarily left her residence on being scolded by her mother. In her statement she has stated that she is willing to return to her residence. It is therefore, submitted that the ingredients of Section 366A of IPC are not satisfied. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of



learned CJM, Khagaria, in connection with Alauli P.S. Case No. 420 of 2018, 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 petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves 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 nos.1,2 and 3 shall remain physically present and petitioner no. 4 shall be well represented in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

U		T	
---	--	---	--

