

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1689 of 2019

Arising Out of PS. Case No.-220 Year-2011 Thana- SAUR BAZAR District- Saharsa

Ashok Kumar, son of Pannalal Yadav, Resident of village- Jibachhpur, P.S.-
Gambaria, District- Madhepura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Vishoka Nand, Adv.

For the Opposite Party/s : Mr.Sri Ram Anurag Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 20-02-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Saur Bazar P.S. Case No. 220 of 2011
registered for the offences punishable under Sections 366(A), 34
of the Indian Penal Code.

Informant has alleged that his minor daughter had
gone to school but did not return and on inquiry he came to
know that she has been enticed away by the petitioner and two
other accused as named in the FIR. The victim was recovered
and her statement was recorded under Section 164 Cr. P.C. in
which she has alleged that petitioner had taken her away on his
motorcycle and was persuading her to marry him. However,



she refused to marry him. She has further stated that petitioner had not committed any sexual assault against her and subsequently left her on the bus stand from where she went to her house. Petitioner has no criminal antecedent and is in custody since 28.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saur Bazar P.S. Case No. 220 of 2011, subject to conditions:

- (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 Court and his absence on two consecutive dates without sufficient reasons, 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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