

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79048 of 2018

Arising Out of PS. Case No.-350 Year-2018 Thana- UDWANTNAGAR District- Bhojpur

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Md. Riyaj Alam, S/o Md. Okil, a resident of village and P.O.- Arion, P.S.
Krishna Brahm, District- Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.

For the Opposite Party/s : Mr.Sri Yogendra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 30-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Udwant Nagar (Gajrajganj) P.S. Case No. 350 of 2018
registered for the offences punishable under Sections 363 and
366A of the Indian Penal Code.

Informant who is the mother of victim has stated
that her daughter had gone to the coaching on 13.09.2018 at the
call of petitioner but since she has not returned and her mobile is
also found to be switched off. The allegation is that her daughter
has been enticed away by the petitioner.

It has been submitted on behalf of the petitioner that
he is innocent and has committed no offence. He has been falsely
implicated in this case. The statement of the victim girl has been
recorded under Section 164 of Cr.P.C. in which she has stated that
she left her home in anger and went to Delhi with petitioner but



thereafter she realized her mistake and took the help of “Helpline” and was sent to the police station where his father was called and she return back to her house. She has further stated that petitioner has not committed any sexual offence and she had gone with him on her own volition. Medical Board has assessed age of victim as 17-18 years. Petitioner has no criminal antecedent and is in custody since 19.09.2018.

Considering the aforesaid fact 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 C.J.M., Ara, in connection with Udwant Nagar (Gajrajganj) P.S. Case No. 350 of 2018, 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.

Rajiv/-

(S. Kumar, J)

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