

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22074 of 2019

Arising Out of PS. Case No.-375 Year-2017 Thana- JOGAPATTI District- West Champaran

Sanjay Kumar @ Sanjay Kumar Pandey, (20 years (M) Son of Sri Rajendra Pandey Resident of Village - Lauriya, Mishra Tola, P.S.- Lauriya, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Rashmi Jha, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-04-2019 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 366A of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act, 2012 registered in connection with Jogapatti P.S. Case No. 375 of 2017

3. It is submitted that the petitioner has been falsely implicated and in any event the so-called victim girl has since been recovered. In her statement recorded under Section 164 of the Cr.P.C., she has categorically stated that she had voluntarily accompanied co-accused Dablu Ansari @ Salim Ansari and solemnized marriage with him. The petitioner has not even been named in her statement. Charge sheet has been submitted against other co-accused whereas the petitioner has not been sent up for trial. 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 in connection with Case No. , 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.

BT/-

(Vikash Jain, J)

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