

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36359 of 2019**

Arising Out of PS. Case No.-688 Year-2018 Thana- NAWADA District-
Nawada

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RAJIV NAYAN, aged about 19 years, male, Son of Navin Paswan Resident
of Village- Rabiyo, P.S.- Sirdala, District- Nawada, at present resident Gola
Road, Imambara, P.S.- Nagar, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Prasad Singh, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 19.11.2018 in
connection with Nawada P.S. Case No. 688 of 2018 for the
offences alleged under Sections 366(A) of the Indian Penal Code.

3. It is submitted that the petitioner has 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 gone to Gajiabad to
her aunt's house. In her statement, she admitted herself to be of
19 years of age. It is therefore submitted that the ingredients of
Section 366A of IPC are not satisfied. The petitioner claims clean
antecedents.



4. Be that as it may, let the petitioner above named 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 A.D.J. 1st, Nawada, in connection with Nawada (Town) P.S. Case No. 688 of 2018, on the following 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 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.

(iv) 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.

(Vikash Jain, J)

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