

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51386 of 2019**

Arising Out of PS. Case No.-71 Year-2018 Thana- ANTI District- Gaya

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ROHIT KUMAR, aged about 18 years, male, Son of Gorakh Rajak @ Gorakh Nath Resident of Dormaa, P.S.- Anti, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 20-08-2019

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 366A of the Indian Penal Code registered in connection with Anti P.S. Case No. 71 of 2018, G.R. No. 6983 of 2018.

3. It is submitted that the petitioner has been falsely implicated on the accusation that the petitioner had taken away the informant's two daughters along with the informant's sister's daughter. It is submitted that accusation under Section 366A IPC are not made out against the petitioner as evident from a cumulative reading of the statements of the three girls recorded under Section 164 Cr. P.C. The informant's daughters had gone to Gaya on the request of the informant's niece and the petitioner is said to have purchased that tickets. No accusation of any criminal offence has been made by any of the girls against the petitioner in their respective statements. 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 Additional Chief Judicial Magistrate-7th, Gaya in connection with Anti P.S. Case No. 71 of 2018, G.R. NO. 6983 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 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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