

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50940 of 2019

Arising Out of PS. Case No.-160 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Chandan Kumar Singh @ Chandan Kumar Kushwaha, aged about 21 years
(male) Son of Ramshankar Singh Resident of Village-Naraura, P.S.-
Mohaniya, District- Kaimur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Gagan Deo Yadav, Advocate
For the Opposite Party : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-08-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 366(A) of the Indian Penal Code registered in
connection with Mohaniya P.S. Case No. 160 of 2019.

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 of the Cr.P.C. wherein she has
categorically stated that she had voluntarily fled away from her house
as her farther wanted to marry her against her wishes but she wanted
to pursue her studies. In her statement, she has admitted herself to be
of 17 years of age. It is therefore submitted that the ingredients of
Section 366A of the IPC are not satisfied. 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, Kaimur at Bhabua in connection with Mohaniya P.S. Case No. 160 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure 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.

(Vikash Jain, J)

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