

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69627 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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KUNDAN SAH S/o- Subash Sah Resident of Village- Bhaluara, P.S.- G.B.
Nagar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.05.2019 in connection with G.B.Nagar P.S.Case No. 117 of 2019 for the alleged offences under Sections 363(A)/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as is 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 accompanied the petitioner. It is therefore submitted that the ingredients of Section 363(A) IPC are not attracted. 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in G.B.Nagar P.S. Case No. 117 of 2019, 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 co-operate 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) 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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