

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.5994 of 2020**

Arising Out of PS. Case No.-331 Year-2018 Thana- UCHKAGAON District-  
Gopalganj

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MITHILESH SINGH Son of Uday Singh @ Uday Singh Resident of Village -  
Khawajepur, P.S. - Yadavpur, District - Gopalganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mohammad Sufyan, Advocate

For the Opposite Party/s: Mrs. Anita Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      28-02-2020                      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)/34 of the Indian Penal Code registered in connection with Uchakagaon P.S. Case No. 331 of 2018.

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 accompanied the petitioner and no one had kidnapped her. She has claimed her age to be of 18 years. So also according to the medical report her age has been assessed to be 18 to 19 years and no evidence of sexual assault have been found. 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, 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, Gopalganj in connection with Uchakagaon P.S. Case No. 331 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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