

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM COURT'S CHAMBERS VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17344 of 2020**

Arising Out of PS. Case No.-4 Year-2020 Thana- AMBA District- Aurangabad

Surendra Mehta,, Son of Late Janeshwar Singh, Resident of Village - Pirwan
@ Pirma, P.S.- Gurua, Distt - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 14-10-2020 Heard learned counsel for the petitioner and Mr. Md.
Aslam Ansari, learned A.P.P. for the State.

Petitioner in the present case is seeking pre-arrest bail
in connection with Amba P.S. Case No. 04 of 2020 registered
for the offence punishable under Section 366A/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that so far
as the present petitioner is concerned, he has been implicated in
this case only because he happens to be father of co-accused
Santosh Mehta.

It is submitted that in course of investigation it has
come that the victim girl had been in love affair with one Dipak
Mehta who is co-accused and she had gone with her.



Learned A.P.P. for the State submits that the victim girl has come back and this fact is recorded in paragraph '73' and '74' of the case diary wherein she has stated to the I.O. that she was coming from Punjab. In the case diary at least no statement of the victim girl has come to make any allegation against this petitioner.

In the given facts and circumstances of the case considering that no material has come against the petitioner and the victim girl has been recovered, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Amba P.S. Case No. 04 of 2020 , subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

vats/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

