

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49709 of 2021

Arising Out of PS. Case No.-815 Year-2020 Thana- AHYAPUR District- Muzaffarpur

DILIP KUMAR Son of Chhote Lal Rai Resident of Village- Bhawanipur,
P.S.- Hatharui, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 20-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant Ramnath Sahni that his daughter Kajal Kumari aged about 16 years on 13.10.2020 at about 11.30 A.M. went to attend the school but before going to school she talked on mobile number bearing 8877521125 belong to her Bhabhi but on his enquiry from Bhabhi brought one fact that the bearer of



mobile no. 9693328664 used to call her but now switched off. They tried to search her but still traceless. The case has been lodged against bearer of mobile no. 9693328664.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. Further submits that in fact the petitioner has not committed any offence. He further submits that during investigation no one is the eye witness to see that the victim girl has gone with the petitioner. He further submits that the statement of the victim recorded under Section 164 Cr. P.C. in which victim has not stated about sexual assault against her . He further submits that police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 22.12.2020.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Ahiyapur P.S. Case No. 815 of 2020, G.R. No. 4471 of 2020,



with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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