

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.54115 of 2022**

Arising Out of PS. Case No.-182 Year-2022 Thana- SASARAM NAGAR District- Rohtas

Rahul Kumar S/o Gorakh Singh Resident of Mohalla- Veer Kunwar Singh
Colony, Ward No.3, P.S.- Buxar, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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

2 16-12-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within two weeks

from today.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Sasaram Town P.S. Case No. 182 of 2022
registered for the offences punishable under Section 366(A) of
the Indian Penal Code. He is in custody since 16.04.2022. The
petitioner has got no criminal antecedent.

As per the prosecution story, the informant has
alleged that on his niece and his cousin sister-in-law had gone to
purchase milk but they do not return and went missing, but after
sometime they were found near Kailash Nagar and were brought



to home by the brother of the informant and thereafter the said complaint was withdrawn. On 28.03.2022 at 4:00 P.M. both the girls left the house and after search they could not be traced out. In course of search, the informant went to Tarachandi Mandir and checked CCTV recording in which he found both the girls wandering and no one was with them.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Learned counsel submits that the victim girl has come back and she made her statement under Section 161 and 164 Cr.P.C. in which she has not implicated this petitioner.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is submitted that the victim girl has come back and she has made her statement under Section 161 and 164 Cr.P.C. in which is she has not implicated this petitioner, the petitioner has no criminal antecedent and has remained in custody since 16.04.2022, investigation against him is complete and there is no submission that if released on bail his presence cannot be secured in course of trial, therefore, this Court directs



that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Rohtas at Sasaram in connection with Sasaram Town P.S. Case No. 182 of 2022, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

This application is allowed.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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