

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12699 of 2016

Arising Out of PS.Case No. -283 Year- 2015 Thana -MOTIPUR District- MUZAFFARPUR

Mukund @ Babu Saheb @ Mukund Kumar Son of Sri Shiv Shankar Ray,
resident of Village Marandi, P.S. Motipur, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Amitesh Kumar(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-05-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

The petitioner seeks bail in connection with Motipur
P.S. Case no. 283/2015 registered for the offences punishable
under Sections 366A, 376D of the Indian Penal Code and Section
4 and 6 of the P.O.S.C.O.

The petitioner is also named in the First Information
Report wherein it is alleged that Chanda Kumari aged 14 years the
daughter of the informant was taken away by the petitioner and
other co-accused. Co-accused Ashok committed rape with her.
The victim girl in her statement recorded under Section 164
Cr.P.C. has not stated the name of the petitioner and she has stated
that co-accused Ashok committed rape with her.

In the facts and circumstances as stated above, considering that the petitioner is in custody since 17.10.2015 and charge-sheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above-named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge P.O.S.C.O., Muzaffarpur in connection with Motipur P.S. Case no. 283/2015 subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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