

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14028 of 2017

Arising Out of PS.Case No. -195 Year- 2016 Thana -BRAHMPUR District- BUXAR

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Kundan Tiwary s/o late Rambali Tiwary Resident of Vill - Rajpur, p.s. -
Imadpur, Dist - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-03-2017 Heard the parties.

This application has been filed in connection with
Brahmpur (Krishnabrahm) P.S.Caes No.29 of 2016 for the offence
under Sections 366(A), 379 and 34 of the Indian Penal Code and
4 & 12 of POXSO Act.

According to the petitioner, he is in custody since
15.11.2016 and in this case, statement of the victim girl has also
been recorded under Section 164 Cr.P.C., in which she has stated
that she had gone with the petitioner and married with him.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and
circumstances, as stated above, let the petitioner, above named, be
enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of 1st Addl. Sessions Judge, Buxar in connection with POCSO Case No.29 of 2016 arising out of Brahmpur (Krishnabarhm) P.S.Case No.195 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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