

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19125 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -SAMASTIPUR GRP CASE District-
SAMASTIPUR

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1. Arun Yadav @ Arun Kumar, Son of Late Mahendra Yadav, resident of
Village- Narpa, P.S.- Bithan, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate
For the State : Smt. Anita Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 28-06-2017

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Section 363 of the I.P.C. and Section 12 of the POCSO Act, 2012.

The earlier bail application of the petitioner was rejected vide Annexure-1 to the present application with the observation “at this stage”.

A report was called for from the court below regarding the stage of the case. It has been reported that charge has already been framed in the case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.01.2016 i.e. for last one and half year. There is no allegation of tampering of witnesses alleged



against the petitioner. The petitioner has got no criminal antecedent. He has been made accused due to mistake of fact. No specific allegation of kidnapping has been made against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Taking into account that the petitioner has remained in custody for more than one and half year and the charge has already been framed, let the petitioner above named be released on bail on furnishing 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, Samastipur in connection with Samastipur Rail P.S. case No.3 of 2016 corresponding to G.R. No.1 of 2016.

It is further directed that the petitioner shall co-operate during the trial. If the trial court feels that the petitioner is not co-operating in the trial, the court below will be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

Narendra/-

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