

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32030 of 2017

Arising Out of PS.Case No. -39 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Rakesh Kumar Son of Hari Narayan Mahtio, R/o Village- Hari Bela,
P.S.- Bathnaha, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Asharaf Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-07-2017 The petitioner seeks regular bail in connection with Bathnaha P.S. Case No. 39 of 2017, registered for offences punishable under Sections 363 and 366A 392 of the Indian Penal Code and Section 3/4 of POCSO Act.

Allegation against the petitioner is of kidnapping the daughter of the informant.

It has been submitted on behalf of the petitioner that now the girl has been recovered and her statement under Section 164 Cr.P.C has been recorded, in which she has not made any allegation against the petitioner rather she has stated she has gone out of her own sweet will with the petitioner to see *mela* (fair). Further petitioner has no criminal antecedent and has been in judicial custody since 11.02.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let



the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge – cum- Special Judge, POCSO Act, Sitamarhi, in connection with Bathnaha P.S. Case No. 39 of 2017, subject to the 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 cooperate 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.

(Vinod Kumar Sinha, J)

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