

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31918 of 2017

Arising Out of PS.Case No. -223 Year- 2017 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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Prem Kumar, son of Ashok Mandal, resident of Mohalla-Bari
Khanjarpur, P.S. Barari, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate.

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 09.05.2017 in connection with Kotwali (Barari) P.S. Case No. 223 of 2017, G.R. No. 1611 of 2017 for the offences alleged under Sections 341, 323, 354(B), 509, 506/34 of the Indian Penal Code and Section 8 of the POCSO Act..

3. It is submitted that the petitioner has been falsely implicated and he is not named in the F.I.R. The petitioner has been implicated only on the allegation that on some previous occasion he along with other persons had misbehaved with the informant. It is submitted that the informant therefore knew the petitioner by name and could very well identify him in the present offence which she has not done. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of



the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Bhagalpur, in connection with Kotwali (Barari) P.S. Case No. 223 of 2017, G.R. No. 1611 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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