

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48102 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -PANDARAK District- PATNA

=====

Rakesh Kumar Son of Munni Ram, Resident of Village-Pandarak, P.S.-
Pandarak, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
20.06.2017 in connection with Special Case No. 52 of 2017
arising out Pandarak P.S. Case No. 31 of 2017 for offences
punishable under Sections 323, 387, 504, 506, 354(a), 354(b) and
34 of the Indian Penal Code and Section 8 of the POCSO Act.

The prosecution case, as lodged by the informant, is
that while she was taking sports training at Sadbhawan Yuva
Manch the petitioner along with four others always tried to molest
her and also used filthy language for which she had given
information to the S.D.P.O., Barh by her phone but was always



threatened by the petitioner and other accused persons that she would be ravished.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and allegations are general and omnibus. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Cum Special Judge (POCSO), Patna in connection with Special Case No. 52 of 2017 arising out Pandarak P.S. Case No. 31 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.



- (2)

Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
- (3)

If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

