

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3178 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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Prabhu Narayan Singh @ Prabhu Kushwaha

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pawan Kumar Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2017 The appellant seeks regular bail in connection with Bhagwanpur P.S. Case No. 125 of 2017, registered for offences punishable under Sections 366A, 504 and 506/34 of the Indian Penal Code, Section 4 of POCSO Act and Section 3(i)(w), 3(ii)(w) of SC/ST (POA) Act.

Allegation against the petitioner is of kidnapping the victim girl.

It has been submitted on behalf of the appellant that he has not been named in the F.I.R, his name transpired during course of investigation only on suspicion. Even the girl in her statement under Section 164 Cr.P.C has not named the appellant. Further appellant has been in custody for last two months.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, this appeal is allowed and impugned order is set aside. Let the appellant 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, Kaimur, in connection with Bhagwanpur P.S. Case No. 125 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant 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 bonds.

(Vinod Kumar Sinha, J)

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