

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47288 of 2017

Arising Out of PS.Case No. -119 Year- 2017 Thana -KASBA District- PURNIA

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1. Parmeshwar Thakur Son of Ganesh Thakur aged 17 Years, R/o Village-Sautha, P.S.- Kasba, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Sri Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-10-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Kasba P.S. Case No. 119 of 2017 arising out of Complaint Case No. 20 of 2017 instituted for the offence under Section-376 of the Indian Penal Code and Sections-3, 4, 12 of the POCSO Act.

It is alleged against this petitioner in the complaint that he took the complainant to Jalalgarh and co-accused Vikram Mahto committed illegal act with her. It is mentioned in para 7 of the complaint that the complainant herself stated that Vikram Mahto committed illegal act with her for last two days.

As such, there is no any specific allegation of overt act against the petitioner. There is only allegation against the petitioner that he took the complainant to Jalalgarh.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kasba P.S. Case No. 119 of 2017 arising out of Complaint Case No. 20 of 2017 to the satisfaction of Additional District & Sessions Judge-Ist-cum-Special Judge (POCSO Act), Purnea subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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