

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62421 of 2017

Arising Out of PS.Case No. -146 Year- 2016 Thana -CHAUTHAM District- KHAGARIA

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Gaurav Singh, S/o Jangbahadur Singh @ Jago Singh @ Jangabahadur,
resident of Village- Saraiya, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **POCSO Case No. 28 of 2016 arising out of Chautham P.S. Case No. 146 of 2016** instituted for the offence under Sections 366A, 376 of the Indian Penal Code and Sections 3 of the POCSO Act.

The informant has filed complaint case which was sent to Police Station under Section 156 (3) Cr. P.C. alleging that she was enticed by this petitioner and taken to Deoghar where the petitioner performed marriage with the informant and established physical relationship with her. She came with the petitioner in his village but the parents of the petitioner did not allow to live in the house as per her own averment in the complaint petition.

The informant has voluntarily gone with the petitioner



and performed marriage with him.

In such circumstances, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **POCSO Case No. 028 of 2016 arising out of Chautham P.S. Case No. 146 of 2016**, he shall be released on anticipatory 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 1st, Khagaria**, subject to the conditions as laid down under Section 438 (2) 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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