

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5488 of 2018

Arising Out of PS.Case No. -979 Year- 2016 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Bigu Sah, S/o Late Sitaram Sah, Resident of Village- Kabirganj, P.S.
Sasaram (T), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Prasad, Advocate

For the Opposite Party/s : Mr. Matloob Rab, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 01-02-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 6.11.2016 in connection with Sasaram Town P.S. Case No.979 of 2016 registered for the offence under Sections 366A, 372, 373, 376(2)(n), 376(D) of the Indian Penal Code and Section 3(i)(ii) of the Human Trafficking Act and Section 8 of the POCSO Act.

Learned counsel for the petitioner submits that though the victim girl in her statement under section 164 of the Cr.P.C. has not taken the name of the present petitioner and there is no specific allegation against him, yet the petitioner's name has surfaced in the confessional statement made before the police by co-accused Sonu Kumar. It is further submitted that the petitioner is having clean antecedent, but has been languishing in jail.



Considering the entire facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional District & Sessions Judge, Rohtas at Sasaram, in connection with Sasaram Town P.S. Case No.979 of 2016, subject to the following conditions:

(1) One of the bailors will be his own relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

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

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

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