

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 12378 of 2018

Arising Out of PS.Case No. -263 Year- 2017 Thana -TARAIYA District- SARAN

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Bittu Kumar, Son of Raj Kumar Singh, Resident of Village- Harakhpura,
P.S.- Taraiya, Distt- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Mukesh Kumar Singh, Advocate

For the S t a t e : Mr Matloob Rab, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 05-04-2018

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 376/34 of Indian Penal Code, Sections 4, 6 of Prevention
of Children from Sexual Offences (for brevity, *POCSO*) Act and
Section 67A of IT Act.

It is submitted by the petitioner's counsel that the
petitioner (Bittu Kumar, son of Raj Kumar Singh) has not been
named either in the first information report (for brevity, *FIR*) or in
the statement of victim recorded under Section 164 of Criminal
Procedure Code (for brevity, *Cr P C*). It is further submitted that
in the FIR and in the statement recorded under Section 164 of Cr P
C, the name of the accused is Bittu Kumar but the said Bittu



Kumar is another person, son of late Satya Narain Singh.

Petitioner's name has been dragged in this case on the basis of statement of said co-accused Bittu Kumar, son of late Satya Narain Singh. Other than that, there is nothing to incriminate the petitioner in the instant case. It is also submitted that the petitioner has been implicated in this case owing to his criminal antecedents and is in custody in this case since 16.01.2018.

Considering the aforesaid submission, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I/Special Judge, POCSO Act, Saran at Chapra in Taraiya Police Station Case No 263 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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