

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64203 of 2018

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1. Pramod Kumar Rai S/o Shivbalak Rai, resident of Village- Rampur Jaiti,
P.S.- Dariapur, District- Saran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-10-2018 Earlier prayer for bail of the petitioner was dismissed twice vide order dated 12.05.2017 passed in Cr. Misc. No. 18175 of 2017 and vide order dated 11.04.2018 passed in Cr. Misc. No. 17992 of 2018 in connection with Dariyapur P.S. Case No. 238 of 2016 and there is allegation against the petitioner of kidnapping and committing rape upon the daughter of the informant.

Submission of learned counsel for the petitioner that petitioner has been in judicial custody for more than two years and now the victim girl has been examined in this case and she has not supported the prosecution case and further the informant has also been declared hostile by the prosecution, which will appear from annexure -3 to the petition.

Heard learned A.P.P. also.



Having heard both sides, in view of the above, let the petitioner 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 Ist Additional Sessions Judge –cum-Special Judge (POCSO) Act, Saran at Chapra, in connection with Dariyapur P.S. Case No. 238 of 2016, subject to the following conditions:-

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

(Vinod Kumar Sinha, J)

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