

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39483 of 2018

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Kanhaiya Kumar, S/o Nandlal Ray, Resident of Batraha
Bhartiya Nagar, Ward No. 27, Saharsa, P.S.- Saharsa,
District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Upendra Prasad, Adv.

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 18-07-2018 The petitioner, who was granted bail in anticipation of his arrest in connection with Saharsa (Sadar) P.S. Case No. 880 of 2014, instituted for the offences under Sections 366(A)/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012, has sought modification of the order dated 16.03.2016, passed in Cr. Misc. No. 6097 of 2016, which requires him to present himself before the Officer-in-Charge of Saharsa (Sadar) Police Station, thereby making himself available for interrogation by police at all reasonable times.

It has been submitted by the learned counsel for



the petitioner that he is a student and whenever he goes to the concerned police station to meet the Officer-in-Charge, he is asked to come some other time as the Officer-in-Charge is invariably not available/free in the police station. He, therefore, seeks modification of the aforesaid order, by waiving of the requirement of the petitioner to be present before the Officer-in-Charge of the concerned police station for interrogation at all times.

The order dated 16.03.2016, accordingly, is modified to the extent that the petitioner shall furnish his mobile/telephone number as well as of his father to the Officer-in-Charge of the concerned police station and would also leave behind an undertaking that whenever he shall be called for interrogation, he shall present himself before such police officer/investigator.

The other condition in the order, viz. that he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer, shall subsist.

On furnishing of the aforesaid undertaking as also his and his father's mobile/telephone numbers to the Officer-in-Charge of the concerned police station, he shall be released on bail on his furnishing bail bonds in the sum of Rs.



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Officer-in-Charge, Saharsa (Sadar) Police Station, Saharsa in connection with Saharsa (Sadar) P.S. Case No. 880 of 2014.

The application is allowed with the aforesaid modification in the order dated 16.03.2016.

(Ashutosh Kumar, J)

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