

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54879 of 2018

Arising Out of PS. Case No.-1 Year-2018 Thana- JALALGARH District- Purnia

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Anup Lal @ Anup Lal Besra S/o Ramu Besra, R/o Vill.- Banaili, P.O.-
Babhni, P.S.- Dagaruwa, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 30-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jalalgarh P.S. Case No. 01 of 2018, subsequent Special POCSO Case No. 01/2018 registered for the offence punishable under Sections 363, 366(A) of the Indian Penal Code and 4/6/8 POCSO Act.

Informant is the mother of victim, who has stated in her written complaint that on 29.12.2017 at about 9:00 PM her minor daughter Nagma Khatoon had gone outside to attend the call of nature but thereafter she did not return and even after much search, she could not be located and she came to know that petitioner has enticed her to solemnize marriage with her. The girl has been recovered and in her statement made under Section 164 of Cr.P.C. she has stated that she had gone with her



own sweet will and volition with petitioner. She has also stated that she was not sexually assaulted. Petitioner has no criminal antecedent and he is in custody since 05.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge cum Special Case (POCSO) Act, Purnea, in connection with Jalalgarh P.S. Case No. 01 of 2018, subsequent Special POCSO Case No. 01/2018 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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.

(S. Kumar, J)

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