

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63341 of 2018

Arising Out of PS.Case No. -74 Year- 2018 Thana -DAGARUA District- PURNIA

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1. Md. Kamal Son of Najrul, Resident of Village- Densar, Islampur, Police Station- Dagarwa, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-10-2018 The petitioner is in custody since 22.05.2018 in connection with Dagarwa P.S. Case No. 74 of 2018 arising out of POCSO Case No. 69 of 2018, registered for offences punishable under Section 376 of the Indian Penal Code and 4 of the POCSO Act.

Allegation against the petitioner is of commission of rape upon the daughter of the informant.

Submission of learned counsel for the petitioner is that as a matter of fact earlier a case of rape was lodged by the wife of the petitioner against the husband of the informant, due to which the present case has been lodged against the petitioner and medical report also does not support the prosecution case and petitioner is in custody since 22.05.2018.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, 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 Addl. Sessions Judge 1st cum Special Judge POCSO Act, Purnea, in connection with Dagarwa P.S. Case No. 74 of 2018 arising out of POCSO Case No. 69 of 2018, with 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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