

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.62868 of 2018

Arising Out of PS. Case No.-55 Year-2018 Thana- CHAKAI District- Jamui

Saurabh Keshri Son of Prash Kershri @ Paras Nath Kershri, Resident of Village-Nagri, Police Station-Chakai, Distt.-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 05-11-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with POCSO Case No.21 of 2018 arising out of Chakai P.S. Case No. 55 of 2018 registered for the offence punishable under Sections 366A/376 of the Indian Penal Code and $\frac{3}{4}$ of the POCSO Act.

Allegation against petitioner is of kidnapping the daughter of informant.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. In the medical report no external or internal injury or any sign of resistance or rape has been found. Age has been assessed 16 years. Victim accompanied petitioner to different places such as Delhi, Jaipur and other cities and when they came to Gaya both were apprehended by police under such circumstances it cannot be said that she was abducted.



Petitioner has no criminal antecedent and he is in custody since 16.05.2018.

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 Additional District & Sessions Judge, Jamui, in connection with POCSO Case No.21 of 2018 arising out of Chakai P.S. Case No. 55 of 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 represented on each and every date fixed by the court.

(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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