

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11946 of 2018

Arising Out of PS.Case No. -91 Year- 2017 Thana -RAUTA District- PURNIA

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Vikas Kumar Das @ Vikash Kumar, S/o Deo Narayan Das @ Dev Na
Das, Resident of Village- Sripur, P.S. Rauta, District- Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Fazle Karim,
Mr. Nafisuzzoha, Advocates

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 16.09.2017 in connection with Special (POCSO) Case No. 99/2017 arising out of Rauta P.S. Case No. 91 of 2017 for the offences alleged under Sections 363 and 366A/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. It is submitted that the petitioner has been falsely implicated on mere suspicion and is not named in the first information report. In any event it transpired from the deposition of the so-called victim girl recorded under Section 164 of the Cr.P.C. that she had voluntarily accompanied co-accused Md. Rahbar and there was love affair between them. The petitioner has not been named in the said deposition and his case stands on better footing than that of co-accused Md. Rahbar who has been named in the FIR. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-



(ten thousand) with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Purnea, in connection with Special (POCSO) Case No. 99/2017 arising out of Rauta P.S. Case No. 91 of 2017, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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