

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37002 of 2018**

Arising Out of PS.Case No. -12 Year- 2017 Thana -JAMOBABAZAR District- SIWAN

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Hare Ram Singh @ Hare Ram Patel S/o Late Uma Shankar Singh @ Uma Shankar @ Paras Nath, R/o vill.- Pahalpura, P.S.- Daraunda, District-Siwan, Presently Residing at Vill.- Dandashpur Nawid Bazar, P.S.- Janta Bazar, District- Chapra.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      12-07-2018                      Heard learned counsel for the petitioner and learned  
APP for the State.

Petitioner seeks bail in connection with POCSO Trial  
No. 99 of 2018 arising out of Jamo Bazar P.S. Case No. 12 of  
2017 for offences punishable under Sections 363, 372 of the  
Indian Penal Code and Sections 6, 8 and 12 of the POCSO Act,  
2012.

The prosecution case, as lodged by the informant, is  
that his daughter Juhi Kumari aged 14 years has disappeared from  
the house. It is alleged that Md. Nazir Hussain who works in the  
orchestra must have sold her to the orchestra owner.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was owner of the orchestra band and did not know that the informant's daughter was brought under coercion. He submits that he has not named in the F.I.R. and it is only on the basis of confessional statement of the victim girl that he has been made accused. He submits that no overt has been alleged and it was the co-accused Md. Nazir Hussain who had sold her in the orchestra band as stated by the victim girl has already been enlarged on bail by this Court in Cr. Misc. No. 25323 of 2017 vide order dated 01.11.2017. He undertakes to cooperate in the investigation and not to tamper with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the victim girl was a minor as stated in the medical report.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge, Siwan in connection with POCSO Trial No. 99 of 2018 arising out of Jamo Bazar P.S. Case No. 12



of 2017, subject to the conditions that:

- (1)

One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2)

Petitioner will cooperate in the investigation and appear before the concerned police station/court as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

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