

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33736 of 2018

Arising Out of PS. Case No.-632 Year-2017 Thana- AGAMKUAN District- Patna

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1. Golu Kumar, S/o Ranjeet Kumar,
 2. Lal Babu S/o Bhusan Sahni @ Bhmeshwar Sahani, Both are R/o Mohalla- M.I.G. , Sector 3, Block No.12, Bahadurpur Colony, P.S.- Agamkuan, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmeshwar Vishwakarma

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-07-2018 At the outset, the learned counsel for the petitioners seeks to withdraw the bail petition as far as the Petitioner No. 2 is concerned.

Accordingly, the present petition is dismissed as withdrawn qua the Petitioner No. 2.

Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Agamkuan P.S. Case No. 632 of 2017, registered for the offences punishable under Sections 377/34 of the Indian Penal Code and Sections 3 /4 of the POCSO Act.

The allegation of the informant is that the son of the informant was kidnapped by the accused persons including the petitioners herein and they are said to have committed unnatural



act with the minor boy, who happens to be the son of the informant.

The learned counsel for the petitioner has referred to the statement of the victim boy made under Section 164 Cr.P.C. before the learned Magistrate and has submitted that the allegation of committing unnatural act with the minor boy is only against the Petitioner No. 2 and the Petitioner No. 1 has only been named as a friend of the Petitioner No. 2. It is further submitted that the Petitioner No. 1 is having a fair antecedent apart from one case in which he is on bail. The petitioner No. 1 is stated to be languishing in custody since 16.01.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner No. 1 on regular bail.

Accordingly, the above named petitioner No. 1 is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Session Judge-I Cum Special Judge, POCSO, Patna in connection with Agamkuan P.S. Case No. 632 of 2017.

(Mohit Kumar Shah, J)

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