

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53603 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

1. Sunny Kumar @ Arpit Kumar son of Sushil Prasad Singh @ Sushil Kumar Singh. null
2. Tinku Kumar son of Munna Pasi. Both resident of Village- Karma, Police Station- Kudra, District- Kaimur (Bhabua), Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 31-10-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners, who are in custody, seek bail in connection with POCSO Reg. No. 16 of 2018 arising out of Kudra P.S. Case No. 112 of 2018 registered for the offence punishable under Sections 366A and 504/34 of the Indian Penal Code.

Allegation against petitioners is of kidnapping the daughter and niece of the informant with the help of co-accused Kalicharan Singh, Surendra Singh and Sunil Singh.

It has been submitted on behalf of the petitioners that they are innocent and have been falsely implicated in this



case. It has been further submitted that the statement of both victim girls were recorded under Section 164 Cr.P. and they have neither name petitioners in their statement nor have alleged any role of petitioners in their abduction. Petitioners have been implicated in this case by informant only on suspicion and previous dispute. Co-accused Kalicharan Singh, Surendra Singh and Sunil Singh have been granted anticipatory bail by the court below as contained in Annexure- 3 and 3/1. Petitioners are in custody since 26.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 1st cum Special Judge, Kaimur at Bhabua, in connection with POCSO Reg. No. 16 of 2018 arising out of Kudra P.S. Case No. 112 of 2018 subject to the conditions that:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioners shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) If the petitioners 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
petitioners.

(S. Kumar, J)

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