

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55339 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -MAHILA PS District- KATIHAR

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Karu Muni, Son of Kasturi Muni, resident of Village- Bathi Maheshpur,
P.S. Kursela, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 149/366(A)/376/307 of the Indian Penal Code and Section 4 of the POCSO Act registered in connection with Katihar Mahila P.S. Case No. 15 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the present complaint is in substance the repetition of the allegations contained in the F.I.R. in Kursela P.S. Case No. 86 of 2017 instituted by the complainant herself and in which the so-called victim girl stated in her deposition under Section 164 Cr.P.C. that she had voluntarily solemnized marriage with the petitioner and claimed herself to be a major, leading to grant of



anticipatory bail to the petitioner in A.B.P. No. 1268 of 2017 (Annexure-4) by the learned Sessions Judge, Katihar. Except the said Kursela P.S. Case No. 86 of 2017, the petitioner claims clean antecedent.

4. Having regard to the entirety of the facts and circumstances, as such, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner 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 Additional Sessions Judge, I-cum- Special Judge, Katihar, in connection with Katihar Mahila P.S. Case No. 15 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further 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 co-operate 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.



(iv) 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.

(Vikash Jain, J)

N.H./- Chandran

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