

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63774 of 2018

Arising Out of PS.Case No. -96 Year- 2017 Thana -KHARHAGPUR District- MUNGER

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1. Chhotu Kumar, Son of Ram Vilash Ravidas, Resident of Village-
Mohampur, P.S. Haveli Kharagpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-10-2018 Earlier prayer for bail of the petitioner was dismissed vide order dated 06.09.2017 passed in Cr. Misc. No. 40955 of 2017 with observation that petitioner may renew his prayer for bail after examination of the girl, in connection with Kharagpur P.S. Case No. 96 of 2017 registered for offences punishable under Section 376 of the IPC as well as Section 4 of the POCSO Act and there is allegation against the petitioner is of commission of rape on the minor daughter of the informant.

Submission of learned counsel for the petitioner that now the girl has been examined and she has not supported the factum of commission of rape and the father of the victim girl has also been declared hostile by the prosecution. It has also been submitted that the petitioner has been in judicial custody since



28.03.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. -1st, Munger in connection with Kharagpur P.S. Case No. 96 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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