

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10852 of 2018

Arising Out of PS.Case No. -835 Year- 2017 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Sanjeet Kumar, S/o Ramesh Sah, R/o Uttarwari Pokhara, Mirja Tola, P.S.-
Bettiah Town (Kalibag O.P.), District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 29-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Bettiah Town P.S. Case
No.835 of 2017 for the offence under Sections 363, 365 of I.P.C.
and Section 8 of POCSO Act.

Counsel for the petitioner submits that the victim girl in her
statement recorded under Section 164 Cr.P.C. has leveled specific
allegation of making her unconscious and taking her on motor
cycle to Kaptanganj and Ludhiyana against Shubham Kumar and
Sujit Kumar Patel and in her statement made under Section 161
Cr.P.C. also named both the co-accused persons. The victim has
named this petitioner that he also came at some point of time. It
has been submitted that the victim girl has been medically



examined and her age has been assessed about 16 years. He further submits that both the accused Subham kumar and Sanjeet Patel in their confessional statement have not whispered against the petitioner.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional District and Sessions Judge-1st –cum-Special Judge, Bettiah, West Champaran, in Bettiah Town P.S.Case No.835 of 2017 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2)petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner and (3) if petitioners tamper 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 petitioner.

(Sanjay Priya, J)

AnilKrSinha/-

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