

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1014 of 2019

Arising Out of PS. Case No.-232 Year-2018 Thana- KOTWALI District- Patna

Chhotu Kumar, Male, aged about 19 years, S/o Late Jugal Choudhary
R/moh-Ram Lakhan Mahto Flat, Chamartoli Police Station-Jakkanpur, Dist.-
Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasadm, Adv.

For the Opposite Party/s : Mr.Sri Shyam Kumar Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 26-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 376(D) of the Indian
Penal Code and Sections 6/7 of POCSO Act, 2012.

In the written complaint, there is allegation against
co-accused including petitioner that they have committed rape
with her. It has been submitted that allegation of rape is false as
informant herself had joined the company of accused,
meanwhile police came and arrested them.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has been
falsely implicated in this case. Similarly placed co-accused has



been granted bail by co-ordinate bench of this court vide order dated 01.11.2018 passed in Cr. Misc. No. 64702 of 2018. Petitioner has no criminal antecedent and is in custody since 16.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Special Case No. 63 of 2018 arising out of Kotwali P.S. Case No. 232 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner 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
petitioner.

(S. Kumar, J)

Rajiv/-

U		T	
---	--	---	--

