

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10753 of 2019

Arising Out of PS. Case No.-5 Year-2018 Thana- PUNAURA District- Sitamarhi

SUBODH KUMAR Son of Sahdev Ram Resident of Village - Kamaldah,
P.S.- Bathnaha, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Punaura P.S. Case No. 5 of 2018 registered for the offence punishable under Section 366(A)/34 of the Indian Penal Code and Sections 8,10,12 of POCSO Act.

Informant is the mother of victim who has alleged in the FIR of kidnapping of her minor daughter with cash of Rs. 70,000/- and some gold ornaments by the petitioner with intent to marry her.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. Victim used to go at the shop of co-accused Hasan Khan where petitioner was working and on the alleged date of occurrence petitioner was not present there rather he had gone at



his village Kamaldah, P.S. Bathnaha. The girl in her statement under Section 164 Cr.P.C. has stated that none has kidnapped her and due to altercation with her mother she in anger went to her grandmother. Petitioner has no criminal antecedent and he is in custody since 19.11.2018.

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 1st Additional Sessions Judge-cum-Special Judge, POCSO Act, Sitamarhi, in connection with Punaura P.S. Case No. 5 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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