

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19791 of 2019

Arising Out of PS. Case No.-58 Year-2018 Thana- TARARI District- Bhojpur

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Santosh Kumar Ram (Male), aged about 26 years, Son of Birendra Ram
Resident of Village - Bandhawa, P.S.- Tarari, Distt - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

For the Opposite Party/s : Mr. Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 363/364/120(B) and 506 of the Indian Penal Code.

Informant who is father of the deceased has alleged that on 17.05.2018 at about 8 p.m., his minor daughter, Parbati Kumari, aged about 15 years had gone outside to attend the call of nature but, thereafter, she did not return and even after much search, her whereabouts could not be ascertained. It has further been alleged that Santosh Kumar (petitioner) was always talking with her daughter upon which informant and family members had raised objection.

It has been submitted on behalf of the petitioner that incident is of 17.05.2018 but F.I.R. was instituted on



26.05.2018. The girl has been recovered and in her statement recorded under Section 164 Cr.P.C., she has stated that she lived with the petitioner in Mumbai and she returned back as she had quarrel with the petitioner and she does not want to live with him anymore. It has further been submitted that petitioner and daughter of the informant were in love with each other. The Medical Board has assessed the age of the victim girl below 19 years and she lived with petitioner with her own will and volition. Petitioner has no criminal antecedent and he is in custody since 08.06.2018.

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/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with POCSO Case No. 64/18 arising out of Tarari P.S. Case No.58/18, with following 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 the Court and his absence on two consecutive dates without sufficient reason, 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)

Sanjay/-

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