

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1997 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- BARH District- Patna

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PRAKASH SINGH @ PRAKASH KUMAR SINGH @ PRAKASH KUMAR, son of Jagat singh @ jagat Narain Singh, r/o Village Mahamadpur, P.S. Barh, District Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 15-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Special Case No. 60 of 2018**
arising out of Barh P.S. Case No. 106 of 2018 registered for
the offence punishable under Section 354(B) of the Indian Penal
Code and Section 5 of the POCSO Act.

Informant in his written complaint has alleged that he received information from two children that the petitioner was taking his minor daughter in an Orchard. The Informant thereafter rushed to the place of occurrence and saw that his daughter was weeping. It has further been alleged that on enquiry, victim girl stated that petitioner took her at Orchard, used dirty words and tried to disrobe her.

It has been submitted on behalf of the petitioner that



he is innocent and has been falsely implicated in this case due to previous enmity between the parties on account of some monetary dispute. It has been submitted that during course of investigation also none of the independent witnesses have supported the prosecution version. Charge has already been framed against the petitioner. Petitioner has got no criminal antecedent and is in custody since 11.04.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **1st Additional District & Sessions Judge, Patna cum Special Judge, POCSO** in connection with **Special Case No. 60 of 2018 arising out of Barh P.S. Case No. 106 of 2018**, 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)

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