

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32417 of 2019**

Arising Out of PS. Case No.-62 Year-2018 Thana- PIPRIYA District-
Lakhisarai

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MANOJ KUMAR, Son of Ashok Sao Resident of Village - Terasi Tola Piparia,
P.S.- Piparia, District - Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Mukesh Kumar, Advocate.

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 09-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 366(A), 504/34 of the Indian Penal Code
and Section 8 of POCSO Act registered in connection with Piparia
P.S. Case No. 62 of 2018.

3. It is submitted that the petitioner has been falsely
implicated as evident from the statement of the so-called victim
girl in paragraph 27 of the case diary recorded under Section 164
Cr. P.C. wherein she has categorically stated that she had
voluntarily gone to Rohtak with the petitioner. It is therefore
submitted that the ingredients of Section 366A IPC are not
satisfied. On a bare perusal of F.I.R. as well as the statement of so-
called victim girl under Section 164 Cr. P.C., no offence under
POCSO Act is made out. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's
arrest or surrender before the court below within six weeks from
the date of communication of this order, let the above named



petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Piparia P.S. Case No. 62 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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