

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37538 of 2019

Arising Out of PS. Case No.-379 Year-2018 Thana- MAJHAULIA District- West Champaran

Sonu Rai @ Sonu Kumar aged about 22 years, Male, Son of Lal Kishore Rai
Resident of Village- Mahnawa, P.S.- Majhauria, District- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 21-06-2019 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)/34 of the Indian Penal Code and Section 8 of the POCSO Act registered in connection with Majhauria P.S. Case No. 379 of 2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the statement of the so-called victim girl recorded under Section 164 of the Cr.P.C. in which she has categorically stated that she had not been kidnapped; and she had voluntarily accompanied the petitioner and solemnized marriage with him. It is further submitted that she had established physical relationship with him. According to the medical report, the age of the victim girl has been assessed at 18-19 years. 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 Additional Sessions Judge 1st-cum-Special Judge, West Champaran, Bettiah in connection with Majhaulia P.S. Case No. 379 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

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

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

(iii) 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.

(iv) 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.

(Vikash Jain, J)

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