

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 64904 of 2018

Arising Out of PS. Case No.-64 Year-2017 Thana- MAHILA PS District- Khagaria

Sumit Kumar, S/o Pramod Mandar @ Pramod Prasad, Resident of Village-
Malpa Bhutouli, P.S.- Chautham, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Sri Ahmad Ali

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **02-01-2019** Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner's prayer for bail in a case registered under
Sections 366A, 376 of Indian Penal Code, Section 4 of POCSO
Act and Section 67 of I T Act was earlier rejected by this Court
by order dated 04.05.2018 passed in Cr Misc No 18036 of 2018.

Learned counsel for the petitioner submits that
petitioner is in custody since 31.12.2017. It is his submission
that during course of investigation, statement of some of the
witnesses has suggested intimate relations between the
petitioner and the informant.

Considering the aforesaid submissions and the fact
that prior to the instant case, there is no criminal antecedent of



the petitioner, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, POCSO, Khagaria in POCSO Case No 18 of 2017 arising out of Khagaria Mahila Police Station Case No 64 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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