

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75122 of 2018

Arising Out of PS. Case No.-101 Year-2016 Thana- MATIHANI District- Begusarai

Prem Kumar Son of Satya Narayan Tanti, resident of Village- Pannapur,
Police Station Matihani, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Maharaj

For the Opposite Party/s : Mr.Sri Abhay Kumar - 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with POCSO Case No. 56 of 2016, arising out of
Matihani P.S. Case No. 101 of 2016 registered for the offence
punishable under Section 366A of the Indian Penal Code and
Section 8/12/17 POCSO Act.

Informant is the father of victim, who has stated in
his written complaint that his minor daughter Kajal Kumari
secretly went outside the house and thereafter did not return and
after search when she could not be located, FIR was instituted
on 10.09.2016. The girl has been recovered and in her statement
has stated that she herself went with petitioner on 07.09.2016.
The girl has been examined by the Medical Board in which the



Medical Board has assessed the age of girl between 16-17. Medical Board has also opined that the victim has not been subjected to any sexual assault. Petitioner has no criminal antecedent and he is in custody since 28.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 1st cum Begusarai, in connection with POCSO Case No. 56 of 2016, arising out of Matihani P.S. Case No. 101 of 2016 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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