

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.41461 of 2019**

Arising Out of PS. Case No.-69 Year-2017 Thana- DARBHANGA District- Darbhanga

PRINCE KHATTICK S/o Navin Prasad @ Navin Khattick R/o Mohalla-  
Kathalwari, P.S.- L.N.M.U., District- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pravin Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

3      30-09-2019                      Heard learned counsel for the petitioner and learned  
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Nagar P.S. Case No. 69 of 2017 registered for the offence punishable under Section 376(D) of the Indian Penal Code and Section 4/6 of the POCSO Act and Sections 67/67(A)/67(B) of the Information Technology Act.

Informant who is the victim in her written complaint has stated that she is known to Akash Mahto and there is love affairs between them and she was called at a place where she was intoxicated and thereafter four accused including committed rape upon her and also prepared video of it and threatened to make it viral.

It has been submitted on behalf of petitioner that he is



innocent and has been falsely implicated in this case. It has been further submitted that similarly placed two co-accused persons, namely, Sawan Kumar and Krishna Mahaseth have already been granted bail by a co-ordinate Bench of this Court vide order dated 21.02.2018 passed in Cr. Misc. No. 61282 of 2017 and order dated 30.01.2019 passed in Cr. Misc. No. 69131 of 2018 respectively. Petitioner has no criminal antecedent and he is in custody since 09.04.2019.

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 District & Sessions Judge-1st, Darbhanga, in connection with Nagar P.S. Case No. 69 of 2017 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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