

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45137 of 2019

Arising Out of P.S. Case No.-256 Year-2018 Thana- MAHARAJGANJ District- Siwan

Raja Sah, aged about 22 years, Male, Son of Asawan Sah R/o- Pasnauli, P.S.-
Maharajganj, District- Siwan, at present Mahrajganj Purani Mathiya, PS-
Mahrajganj, Distt. Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K.Agrawal, Sr. Advocate
	:	Mr. Amresh Kumar Sinha, Advocate
	:	Miss Preety Kunwar, Advocate
For the Opposite Party	:	Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 16-10-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor and perused the case diary.

The petitioner is in custody in connection with
Mahrajganj P.S.Case No.256 of 2018 registered for an offence
under Section 376/34 of the Indian Penal Code and Section 4/8
of the POCSO Act.

As per prosecution case, the informant alleged that
her daughter Pinki Kumari aged about 16 years was taken away
by this petitioner and others on the pretext of marriage on
24.10.2018. It is further alleged that all the accused persons took
her to Bangalore and Delhi where physical relation was
established and on 02.11.2018 her daughter was left to her
sister's house and thereafter all the accused persons fled away.

It is submitted on behalf of the petitioner that the
petitioner has falsely been implicated in this. He further submits



that similarly situated co-accused has already been granted regular bail by a coordinate Bench of this Court in Cr.Misc.No.11508 of 2019 dated 26.02.2019. It is also submitted that chargesheet has already been submitted and petitioner is in custody since 02.06.2019.

In view of the aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-I-cum-Special Judge, Siwan in connection with Mahrajganj P.S.Case No.256 of 2018 with following conditions:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

B.Kr./-

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