

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51928 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- KHODAWANDPUR District- Begusarai

1. VIKESH SADA @ VIKASH SADA Son of Ramshobhit Sada Resident of Village- Shekha Tol, Ekamba, P.S.- Khodawandpur, District- Begusarai.
2. Ramshobhit Sada Son of Chaudhary Sada Resident of Village- Shekha Tol, Ekamba, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 20-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in POCSO Case No. 12/2019 in connection with Khodawandpur P.S. Case No. 30 of 2019 registered under Sections 366(A), 34 of the Indian Penal Code and also under Section 3/4 of POCSO Act.

Learned counsel for the petitioners submits that the co-accused Dilip Sada with whom the victim girl is missing happened to be the son of petitioner no. 2 and brother of petitioner no. 1. In the first information report, the informant has categorically stated that Dilip Sada has kidnapped his daughter



by putting herself in the Bolero Jeep, so there is specific allegation in the F.I.R. that Dilip Sada has kidnapped the daughter of the informant. The police after completed the investigation submitted charge-sheet. Learned counsel submits that petitioners in this case is in judicial custody since 09.04.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances wherein it is submitted that the co-accused Dilip Sada with whom the victim girl is missing happened to be the son of petitioner no. 2 and brother of petitioner no. 1 and it is only because of the relationship of these petitioners with the co-accused Dilip Sada they have been made accused in the present case and that they are in custody for the last seven months, charge-sheet has already been filed and now there is no chance of tampering with the evidence of the case, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge - 1st – cum – Special Judge, POCSO Act, Begusarai, in connection with POCSO Case No. 12/2019 in connection with



Khodawandpur P.S. Case No. 30 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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