

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56305 of 2019

Arising Out of PS. Case No.-625 Year-2017 Thana- BANKA District- Banka

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KUNDAN YADAV @ KUNDAN KR. YADAV Son of Panchu Yadav
Resident of Village- Kanadih Chhit, P.S.- Godda, District- Godda
(Jharkhand).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 23-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 15.07.2019 in connection with Banka P.S. Case No. 625 of 2017 registered for the offence punishable under Sections 366A/494/376/34 of the Indian Penal Code and Section 4/6 of POCSO Act.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in connection with the present case. It appears that earlier the petitioner was granted privilege of provisional anticipatory bail which was also confirmed, but the petitioner failed to surrender and, therefore, the aforementioned application was filed for extending the date of surrender. It, however, appears that the said modification



application was rejected and, thereafter, the petitioner surrendered before the Court on 15.07.2019.

Learned counsel for the petitioner submits that admittedly the victim girl has not taken the name of the present petitioner in connection with the present case.

Having considered the entire facts and circumstances and that the case of the petitioner which was duly considered on merits, he was extended the privilege of anticipatory bail earlier, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Banka, in connection with Banka P.S. Case No. 625 of 2017, subject to the following conditions:-

(1) One of the bailors will be the father of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned



court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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