

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56116 of 2019

Arising Out of PS. Case No.-609 Year-2018 Thana- BIHTA District- Patna

BITU KUMAR Son of Lalan Saw Resident of Village- P.O. Bindaul, P.S.-
Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is in custody since 13.06.2019 in
connection with Bihta P.S. Case No. 609/2018 registered for the
offence punishable under Sections 354(B)/34 of the Indian
Penal Code and Section 3 of the POCSO Act.

Learned counsel for the petitioner submits that,
save and except, an omnibus allegation that the petitioner had
caught hold of the hand of the girl, there is no other allegation.
It is further submitted that the petitioner has got no criminal
antecedent and similarly situated co-accused person, namely,
Mukesh Sao has been extended the privilege of bail in Cr. Misc.
No. 36103 of 2019 vide order dated 23.07.2019.

In view of the aforementioned facts and



circumstances, 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 Addl. Session Judge, 1st cum Spl. Judge, POCSO Court, Patna, in connection with Bihta P.S. Case No. 609/2018, 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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