

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.75734 of 2019**

Arising Out of PS. Case No.-377 Year-2019 Thana- GAYA MUFASIL District- Gaya

Amlesh Kumar Singh @ Amlesh Singh Son of Late Parmeshwar Singh  
Resident of Rampurgosh, Police Station - Sikandara, District- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      27-11-2019                      Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Muffasil P.S. Case No. 377 of 2019 POCSO Case No. 81 of 2019**, registered for the offences punishable under Section 376(D) of the Indian Penal Code and section 4/6 of the POCSO Act.

It is alleged that informant called her friend Rahul on mobile, who took her to Vijay Utsav Hall and let her stay there for sometime. Thereafter, Sonu picked her up from the Vijay Utsav Hall and took her to his friend's house namely, Babloo where Sonu and Babloo committed rape upon the informant.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is owner of Vijay Utsav Hall. The only allegation against this petitioner is that he slapped the girl. In the statement of victim recorded under Section 164 Cr.P.C there



is nothing against this petitioner. Charge-sheet has already been submitted. Petitioner is in custody since 26.09.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Sessions Judge POCSO, Gaya** in connection with **Muffasil P.S. Case No. 377 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to 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)**

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