

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.361 of 2020

Arising Out of PS. Case No.-406 Year-2019 Thana- RAMPUR District- Gaya

VIKASH KUMAR, aged about 32 years, Maqle, S/o Vinod Kumar R/o Near Verma Narsing Home, Laxmi Nager, Road No. -2, Jail Road, P.O.- H.P.O. Gaya, P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vishal Saurabh, adv.

For the Opposite Party/s : Mr.Raj Kishore Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-01-2020 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 354(a) of the Indian Penal Code and Sections 8 of POCSO Act.

Informant who is minor has alleged that on 08.11.2019 at about 7:27 A.M. while she had gone for morning walk along with her mother, petitioner started teasing her and also asked to accompany her.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence and has been implicated in this case for oblique reasons. It is submitted that no offence under the POCSO Act is made out. Petitioner is



in custody since 08.11.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO), Act, Gaya, in connection with Rampur P.S. Case No. 406 of 2019, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be represented on each and every date fixed by the court.
- (3) 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.

(S. Kumar, J)

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