

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11971 of 2020

Arising Out of PS. Case No.-390 Year-2019 Thana- BASANTPUR District- Siwan

MANISH KUMAR @ MANISH RAI S/o Devnath Rai Resident of Village-
Basantpur Ahir Tola, P.S.- Basantpur, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 366A/34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offenses Act, 2012.

Submission is that the statement of the victim-girl would reveal that she has not alleged anything against the petitioner, rather she stated that petitioner is innocent one. Statement of the victim-girl is at Annexure-2.

Further submission is that the matter is of love affairs and, in the past also, the victim had eloped along with the petitioner and for that Basantpur P.S. Case No. 277 of 2019 was registered, a copy of which is at Annexure-3 and in the statement under Section 164 Cr.P.C., a copy of which is at



Annexure-4, the victim has stated that she had voluntarily married with the petitioner. There is no material to substantiate that the petitioner is going to tamper with the evidence or abscond the process of law.

Considering the statement of the victim-girl, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with POCSO Trial No. 170 of 2019 arising out of Basantpur Police Station Case No. 390 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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