

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21360 of 2020**

Arising Out of PS. Case No.-858 Year-2019 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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SUNNY KUMAR Son of Triloki Sah Resident of Village - Vishunpur Patti,
P.S.- Sahebganj, District - Muzaffarpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

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

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

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 01-07-2020 Learned counsel for the petitioner undertakes to

remove all the defects pointed out by office within three weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Manoj Kumar, learned APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Sadar P.S. Case No. 858 of 2019
registered for the offences punishable under Section 366A/34 of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner is in custody since 20.01.2020.

Learned APP for the State has opposed the prayer for
regular bail of the petitioner.



Having regard to the facts and circumstances of the case wherein, from Annexure '2' of the present application which is a date of birth certificate issued by Directorate of Statistics and Evaluation, learned counsel for the petitioner has shown that the victim girl was almost 20 years of age at the time of alleged occurrence, she had eloped and on coming back she in her statement under Section 164 Cr.P.C. did not allege any wrong act against this petitioner and also refused to go for medical examination and further that the victim girl was pressurizing the petitioner to marry, the petitioner has remained in jail for approximately six months and at this stage there is no chance of conclusion of trial in near future as also there being no submission that the release of the petitioner at this stage is likely to interfere with the course of trial, let the petitioner above named be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur in connection with Sadar P.S. Case No. 858 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,



(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

This application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

