

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28433 of 2020

Arising Out of PS. Case No.-130 Year-2015 Thana- KANTI THARMAL POWER District-
Muzaffarpur

AKHILESH MISHRA @ AKHILESH KUMAR Son of Damodar Mishra
Resident of Village - Pokhraise, P.S. - Kanti, District - Muzaffarpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 06-11-2020 The matter has been taken up through virtual Court proceeding.

Let the defects be removed within two weeks of the start of the physical Court.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 376 of the Indian Penal Code, Sections 4 and 6 of the Protection of Children from Sexual Offenses Act, 2012.

In the past, prayer for bail was refused to the petitioner as the petitioner was carrying allegation of commission of rape against a minor girl.

Learned counsel for the petitioner submits that



deposition of the victim-girl examined as P.W.6 is at Annexure-5 which would show that she has not supported the allegation of commission of rape by the petitioner.

Considering the fate of the trial after 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 Trial No. 29 of 2018 arising out of Kanti Police Station Case No. 130 of 2015, 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)

Kundan/-

U		T	
---	--	---	--

