

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35561 of 2020

Arising Out of PS. Case No.-456 Year-2019 Thana- KAHALGAON District- Bhagalpur

PRABHAKAR KUMAR SHARMA @ PRABHAKAR SHARMA Son of
Dhananjay Sharma @ Dhananjay Tanti Resident of Village - Baiju Tola
(Anandipur), Police Station - Kahalgaon, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 23-12-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is an accused in connection with POCSO
Case No. 79 of 2019 arising out of Kahalgaon P.S. Case No. 456
of 2019 for the offence registered under Sections 376, 511 and
323 of the Indian Penal Code.

Learned counsel for the petitioner submits that earlier
prayer for bail of the petitioner was rejected vide order dated
29.02.2020 passed in Cr. Misc. No. 12307 of 2020. It is further
submitted that the fresh ground in connection with the present
case is that similarly situated co-accused person has been
granted bail by a co-ordinate Bench of this Court vide order



dated 15.06.2020 passed in Cr. Misc. No. 14301 of 2020. It is further submitted that the petitioner has no criminal antecedent and he is in custody since 19.12.2019.

Having considered the above facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (POCSO-II) -cum- Additional District and Sessions Judge- VIII, Bhagalpur in connection with POCSO Case No. 79 of 2019 arising out of Kahalgau P.S. Case No. 456 of 2019, subject to the conditions that (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.



The application stands disposed off in the
aforementioned terms.

(Arvind Srivastava, J)

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