

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35657 of 2020

Arising Out of PS. Case No.-230 Year-2020 Thana- DIGHA District- Patna

Abhi @ Avinash @ Abhishek Kumar @ Arnesh Kumar Son Of Anand
Banerjee Resident Of X.T.T.L., Mariyam Colony, P.S - Digha, District - Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mrs. Shilpi Keshri, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case registered for the offence punishable under section 379 and other ancillary sections of the Indian Penal Code and under sections 8/10/12/14/15 of the POCSO Act.

Prosecution case is that on pretext of returning the mobile phone, victim was called from his house. Thereafter, other co-accused committed unnatural offence and the petitioner is alleged to have made video clipping of the occurrence.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Similarly situated co-accused Vishal Kumar has already been allowed bail by a bench of this Court vide order dated 14.9.2020. Petitioner has got no criminal antecedent and he is in custody since 22.4.2020.

In the facts of the case, prayer for bail of the petitioner



is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I cum Special Judge, POCSO Act Patna in Special case no. 79/2020, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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