

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37275 of 2018

Arising Out of PS. Case No.-115 Year-2014 Thana- MAHILA P.S. District- Muzaffarpur

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Avinash Thakur S/o Ashok Thakur, R/o Vill.- Kushi Harpur Horil (Kanti Kushi), P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Kumari D/o Late Sudhir Choudhary, Resident of Village Supana, PO and PS Saraiya, District – Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari
For the Opposite Party/s : Mr. Vinod Shankar Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

11. 19-02-2020 Heard learned counsel for the petitioner and learned A.P.P. for the State. Despite valid service of notice, nobody appears on behalf of informant/opposite party no. 2.

The petitioner apprehends his arrest in Muzaffarpur Mahila P.S. Case No. 115 of 2014 registered for the offence under Sections 498(A), 341, 323, 504, 506, 376, 34 of the Indian Penal Code and Sections 12 & 18 of the POCSO Act.

It is submitted on behalf of petitioner that petitioner is ready to keep opposite party no. 2 with full honour and dignity. It is further submitted that now, good sense has prevailed between the parties and informant has already filed a compromise petition in the court of learned Special Judge, POCSO Act, Muzaffarpur, which is at Annexure P-2 to the



present petition.

Considering the aforesaid facts and circumstances, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Special Judge, POCSO Act, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 115 of 2014 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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