

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85407 of 2019

Arising Out of PS. Case No.-313 Year-2017 Thana- SAMASTIPUR District- Samastipur

PANKAJ KUMAR @ PANKAJ YADAV Son of Umesh Ray @ Umesh Rai
Resident of Village-Jitwarpur, Ward no.13, P.S.-Samastipur Muffasil, District-
Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-01-2020 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 366A/34 of the Indian Penal Code and Section 12 of the POCSO Act.

Informant in his written complaint has alleged that on 12.12.2017 at about 2:00 pm his minor daughter had gone to attend coaching classes but thereafter she did not return and after much search he found that one mobile message from petitioner had come and he suspected that petitioner had enticed away his daughter.

Statement of the victim girl was recorded under section 164 of the Cr.P.C in which she stated that she had gone with the petitioner but has denied any sexual assault committed by him.



It is further alleged that petitioner dropped him and thereafter she came to her house. Petitioner has got no criminal antecedent and is in custody since 06.09.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with **Town P.S. Case No. 313 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

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