

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28439 of 2020

Arising Out of PS. Case No.-484 Year-2019 Thana- PAROO District- Muzaffarpur

Manish Kumar, Son of - Surendra Sah, Resident of Village - Hardi Purani
Bazar, P.S. - Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 18-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in connection with Paroo P.S. Case No. 484 of 2019 for the offence under Sections 342, 354(B), 509, 504/506/34 of the Indian Penal Code, Sections 66(E) and 67(A) of the I.T. Act and Sections 4/8 of the POCSO Act

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedent.

Referring to the prosecution case, learned counsel for the petitioner submits that during course of investigation it transpired that the petitioner was involved in making vulgar video, but neither the girl nor the man was traced out. He further submits that the petitioner is residing in Assam and occasionally he visits Bihar. There is totally denial of any act or omission or commission constituting the offence as alleged in the instant case. He further submits that the name of the petitioner surfaced



in this case on the basis of confessional statement of Vikas Kumar.

Considering the fact that nothing objectionable was found from the mobile of the petitioner and the name of the petitioner surfaced in the confessional statement of Vikas Kumar and also the fact that the petitioner has got no criminal antecedent, the petitioner named above, in the event of arrest or surrender before the court below within one month from the date of receipt of a copy of this order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO Act), Muzaffarpur in connection with Paroo P.S. Case No. 484 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioner is acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioner, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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