

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41438 of 2021**

Arising Out of PS. Case No.-170 Year-2021 Thana- MADHEPURA District- Madhepura

Satyaveer @ Sativeer S/O Chandrapal R/O Village-Bihat Bas Bareli, P.S-
Aowla, District-Bareli, State-U.P.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Sangeeta Sharma, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 22-10-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 363, 366A of the IPC and section 8 of the POCSO Act.

As per the prosecution case, petitioner was taking away the daughter of the informant with intent of marriage and when he was going to Uttar Pradesh by bus from Madhepura Bus stand, her daughter cried for help. Thereafter, she was rescued by the passengers.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Referring to section 164 Cr.P.C. statement of the victim, learned counsel submits that the victim girl has stated that the petitioner was taking her away with the intention of making her



do the domestic work (Jhadu, pochha) and as such no case under sections 363/366A of the IPC is made out against the petitioner. Petitioner has claimed clean antecedent and he is in custody since 27.2.2021. Charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties and the materials available on the record, 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 VI cum Special Judge, POCSO Act, Madhepura in POCSO Case No. 06 of 2021/Madhepura Police Station Case No. 170 of 2021 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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