

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37238 of 2020

Arising Out of PS. Case No.-789 Year-2019 Thana- MADHEPURA District- Madhepura

Bikram Kumar @ Vikram Kumar, Son of Girdhar Poddar, Resident of Village
- Chakla, Ward no.13, P.S.- and Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with POCSO
Case No.45 of 2019, arising out of Madhepura P.S. Case No.789
of 2019, for the offence punishable under Sections 341, 354(B),
379, 504, 506/34 of the Indian Penal Code and Section 12 of the
POCSO Act, 2012.

Two persons have allegedly taken away the *Dupatta*
and misbehaved with the minor daughter of the informant.

Counsel for the petitioner submits that the prosecution
is a counterblast to Complaint Case No.539 of 2019 lodged by
the petitioner against the informant. Further submission is that
even as per the prosecution case, which has been supported in
course of investigation, the allegation of misbehaving with the



daughter of the informant is on co-accused Chhotu Kumar. Petitioner bears a clean past and is in jail custody since 18.09.2020 and it is asserted that the victim girl is at least 19 years old.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Special Judge, POCSO, Madhepura, in connection with POCSO Case No.45 of 2019, arising out of Madhepura P.S. Case No.789 of 2019, subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates,



his bail bond will be liable to be
cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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