

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7487 of 2021

Arising Out of PS. Case No.-133 Year-2020 Thana- NAYA RAM NAGAR District- Munger

SONU KUMAR @ CHHOTU Son of Mahendra Tanti @ Mahendra Kumar
Resident of Village-Safiabad, P.S.-Naya Ram Nagar, District-Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Murli Dhar, Advocate
For the Opposite Party/s : Ms. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-06-2021

At the very outset, it is submitted by learned APP Ms. Pushpa Sinha that this brief has been allotted to her.

In view of sudden surge of COVID – 19 infection there is limited functioning of the High Court and therefore the matter has been listed for consideration through virtual mode.

Heard learned Counsel for the petitioner and the learned APP for the State.

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

Petitioner seeks bail in Naya Ramnagar PS Case No. 133 of 2020 registered under Sections 366(A)/34 of the IPC and Section 8 of the Pocso Act.

The informant has alleged that his minor daughter has been taken away by the instant petitioner.

Learned Counsel for the petitioner submits that statement of the alleged victim recorded under Section 164 Cr.P.C. belies entire prosecution case. The victim has stated her age to be 19 years in the deposition and that she had voluntarily gone with the instant petitioner and has solemnised marriage. The petitioner in such circumstances continues to be in custody since 11.8.2020. It is stated



that he has no criminal antecedent.

Learned APP has opposed the prayer for bail. It is submitted that the allegation is regarding taking away a minor girl.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge, VIth -cum- Exclusive Special Court (Pocso Act), Munger in Naya Ramnagar PS Case No. 133 of 2020 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.

(Madhuresh Prasad, J)

SNkumar/-

U		T	
---	--	---	--

