

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51953 of 2021

Arising Out of PS. Case No.-382 Year-2020 Thana- DANAPUR District- Patna

VIVEK SINGH, Son of Jainath Singh, Resident of Village - Mainpura, P.S.-
Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra, Adv.
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 376/511 of the Indian Penal
Code and Sections 4/6/8 of the POCSO Act.

Vide order dated 25.06.2021, the bail application was
earlier rejected in Cr. Misc. no.997/2021 with a liberty to the
petitioner to renew his prayer for bail after framing of charge.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that charge has been framed against the petitioner on 22.02.2021 as Annexure-3 of the bail application.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Danapur P.S. Case No. 382/2020 (bearing Special Case No. 125/2020) to the satisfaction of learned Court below where the case is pending/ successor Court; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(3) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on



two consecutive dates his bail bond will be liable to be cancelled.

(4) that the petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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