

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40445 of 2020

Arising Out of PS. Case No.-309 Year-2019 Thana- SASARAM NAGAR District- Rohtas

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SUMAN KUMAR S/O CHANDESWAR KUMHAR RESIDENT OF
VILLAGE-SONGAWAN, P.S-DARIGAON, DISTRICT-ROHTAS.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siddharth Harsh, Advocate

For the Opposite Party/s : Mr. Umesha Nand Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-03-2021 Heard Mr. Siddharth Harsh, learned counsel for the

petitioner and Mr. Umesha Nand Pandit learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

POCSO Case No. 111 of 2019 arising out of Sasaram

(Darigaon) P.S. Case No. 309 of 2019 registered for the offences

punishable under Sections 366A, 34 of the Indian Penal Code

1860 and Section 8 of the POCSO Act.

The allegation as per the First Information Report is

that the daughter of the informant went along with co-accused

Manju Kumari, but she did not return. When the informant

enquired about the where-about of his daughter, he came to

know that the petitioner along with other co-accused persons



has abducted her.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive inasmuch as there was love affair between the petitioner and the victim girl. Learned counsel referring to the impugned order submits that the statement of the victim girl has been recorded under Section 164 Cr. P.C. wherein she has stated that she was in love with the petitioner and she has performed marriage with him on 03.03.2019 in the temple. Learned counsel further submits that the petitioner is in custody since 4.10.2019 and charge sheet has already been submitted in the matter. Learned counsel also submits that after return of the victim, her parents have performed her marriage with another boy.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact that the petitioner is in custody since 4.10.2019 and charge sheet has already been submitted in the matter as well as there is no likelihood that the petitioner will abscond or tamper with the evidence, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/-



(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 1st, Rohtas at Sasaram, in connection with POCSO Case No. 111 of 2019 arising out of Sasaram (Darigaon) P.S. Case No. 309 of 2019.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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