

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40583 of 2020

Arising Out of PS. Case No.-109 Year-2020 Thana- DALSINGHSARAI District- Samastipur

VIJAY PODDAR S/o Ashok Poddar Resident of Mohalla- Loknathpur, P.S.-
Dalsingsarai, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 15.07.2020 in connection with Dalsingsarai P.S. Case No. 109/2020 registered for the offences punishable under Sections 376/504/506/34 of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution case, son of this petitioner committed rape upon the informant and when the parents of the victim girl went to protest, this petitioner along with other co-accused persons are alleged to have abused the parents of the victim and ousted them.

It is submitted on behalf of the petitioner that the specific allegation of committing rape and sexual assault is against the son of this petitioner and so far as this petitioner is concerned, the only allegation of is of abuse. It is further



submitted that the petitioner is in custody since 15.07.2020 and has got no criminal antecedent.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Sessions Judge, VI cum Special Court (POCSO), Samastipur, in connection with Dalsingsarai P.S. Case No. 109/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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