

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7008 of 2021

Arising Out of PS. Case No.-471 Year-2020 Thana- CHANPATIA District- West Champaran

JHUNNU KUMAR S/o Harishankar Prasad Resident of Village- Sirisiya
Kailash Nagar, P.S.- Chanpatiya (Sirisiya O.P.), West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

2 17-04-2021 The defect(s) as pointed out by the Office be removed by

the learned counsel for the petitioner within two months after
the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 366A/34 of the Indian Penal Code
and Section 8 of the POCSO Act.

According to the prosecution case, the informant's
daughter was missing from her house since 12.09.2020 and
when the informant started searching her, he came to know that
the petitioner was seen loitering near the informant's house. The
informant further stated that he went to the house of petitioner
and enquired about the victim but the petitioner did not disclose



anything about the victim. The informant believed that petitioner along with his associates enticed away the victim.

It has been submitted on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case only on the basis of suspicion. The victim in her statement recorded under Section 161 of the Cr.P.C. has stated that she had fled away from her house as she was beaten by her parents and the victim has not stated anything about the complicity of the petitioner in the present case. Charge sheet has been submitted in this case. Petitioner has no criminal antecedent and he is in judicial custody since 17.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Chanpatiya (Syrisiya O.P.) P.S. Case No. 471 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 and



his absence on two consecutive dates without sufficient reason,
his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the
witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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