

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.8818 of 2021**

Arising Out of PS. Case No.-536 Year-2020 Thana- BEGUSARAI TOWN District- Begusarai

Amarjeet Kumar Son Of Mr. Shankar Thakur R/O Village- Singhaul, P.S.-
Begusarai Mufassil, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur,Advocate Mr.Malay Kumar Choudhary,Advocate
For the Opposite Party/s	:	Mr.Md.Fahimuddin,APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-08-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

The petitioner in the present case is seeking regular bail in connection with Town P.S. Case No. 536 of 2020 registered for the offences punishable under Sections 346, 367, 370, 370(A), 372, 373, 376, 120(B)/34 of the Indian Penal Code, Sections 4, 6, 12, 17 of the POCSO Act, Sections 3, 4, 5, 6 of Immoral Traffic Act, Sections 75/79 of Juvenile Justice Act and Section 30(a) of Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that as per

the prosecution story, on the basis of secret information that flesh trade was going on, raid was conducted in the house of one Anita Devi from where a girl was recovered and thereafter several persons including this petitioner were arrested from there.

Learned counsel submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that similarly situated co-accused has already been granted bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 15620 of 2021. The petitioner has remained in jail in connection with the present case since 08.10.2020 having no criminal antecedent.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has noticed that the co-accused similarly situated has been granted bail by a learned Co-ordinate Bench of this Court vide order dated 19.07.2021 in Cr. Misc. No. 15620 of 2021 and further that in course of trial the victim girl has already been examined and in course of identification of the accused the victim girl did not identify this petitioner, the petitioner has remained in jail in connection with this case since 08.10.2020 and undertakes to appear in course of trial on each

and every date fixed in the matter, this Court directs release of the petitioner above named on bail on furnishing of bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge VI-cum-Special Judge POCSO Act, Begusarai in connection with Town P.S. Case No. 536 of 2020, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of

bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that after his release on bail the petitioner shall not try to contact the victim girl or her family members and he will attend the trial on each and every date fixed in the matter. Two consecutive defaults in putting appearance shall invite action towards cancellation of bail of the petitioner.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.