

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15429 of 2021

Arising Out of PS. Case No.-273 Year-2020 Thana- BAIRIYA District- West Champaran

Sanjay Paswan Son of Sri Upendra Paswan Resident of Village- Bhitaha
Mathiya, P.S.- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma
		Mr.Abhishek Kumar
For the Opposite Party/s	:	Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 16-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner, who is in custody since 31.07.2020, seeks bail in Bairiya P.S. Case No. 273 of 2020, registered for the offence under Sections 363/366-A of the Indian Penal Code and Section 12 of the POCSO Act.

Earlier, vide order dated 01.07.2021, case diary alongwith medical report and statement of the victim girl recorded under Section 164 Cr.P.C. were called for, which have been received. The victim, in her statement recorded under Section 164 Cr.P.C., has stated that she, out of her own will, had married with the petitioner and was living with petitioner, as husband and wife. As per medical report, the doctor has assessed the age of victim girl, as 19 years.



Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge-cum-Special Judge, under POCSO Act, West Champaran at Bettiah in connection with Bairiya P.S. Case No. 273 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers 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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