

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7442 of 2022**

Arising Out of PS. Case No.-170 Year-2021 Thana- KAKO District- Jehanabad

RAVISHEK KUMAR @ NARAYAN KUMAR S/O SRI SANTOSH  
SHARMA @ SANTOSH KUMAR R/V- USHARI CHAKIYA, P.S.-  
MEHANDIYA, DISTT.- ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.  
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      29-06-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for  
the offence under Section 366 of the Indian Penal Code and  
Section 8 of the POCSO Act.

The daughter of the informant is said to have been  
abducted by the petitioner, who is said to have been in touch  
with the victim on phone regularly.

Learned counsel appearing for the petitioner  
submits that the petitioner, who is of clean antecedent, is  
innocent and has falsely been implicated in this case. He  
further submits that the statement of the victim girl has  
been recorded under Section 164 Cr.P.C. in which the victim



has denied the allegation as alleged against the petitioner. He further submits that by way of a supplementary affidavit, the deposition of informant has been brought on record in which the informant, who is father of the informant, has categorically stated that he has named the petitioner in the F.I.R. due to misunderstanding and on mere suspicion. He further submits that no case under Section 366 of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 16.11.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Kako (Jehanabad) P.S. Case No. 170 of 2021, Special (POCSO) Case No. 85 of 2021 with the 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 and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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.

**(Rajesh Kumar Verma, J)**

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