

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18189 of 2022

Arising Out of PS. Case No.-64 Year-2021 Thana- PALI District- Jehanabad

UDIT KUMAR S/o Late Krishna Prasad R/o village- Muther Lodipur, P.S.
and Distt.- Jehanabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate
For the Opposite Party/s : Mr.Nityanand,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 29-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 363,
366(A)/34 of the Indian Penal Code and under section 8 of the
POCSO Act, in connection with Special POCSO Case No. 03 of
2022 (in Pali P.S. Case No. 64 of 2021).

As per the allegation in the FIR, the informant
alleged that the accused persons including the petitioner herein
have abducted the minor girl and this may lead any untoward
incident.

In this case, case diary as also the victim girl's
version under section 164 of the Cr.P.C. were called for on



27.7.2022 and the same has been received.

As per the statement made by the victim girl under section 164 of the Cr.P.C., she has stated that she went to her 'Mousi's' house on her own and she had further requested her 'Mousa' not to inform her family members about that and the reasons she has given is that her parents wanted to get her marriage solemnized whereas she wanted to pursue her studies.

Taking into account the aforesaid facts as also that the petitioner is in custody since 1.2.2022 (as stated in para-9 of the bail application) and has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum- Special Court (P.O.C.S.O. Act), Jehanabad, in connection with Special POCSO Case No. 03 of 2022 (in Pali P.S. Case No. 64 of 2021) subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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