

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21095 of 2022

Arising Out of PS. Case No.-33 Year-2020 Thana- SRINAGAR District- West Champaran

Pritam Ram Son of Sri Badan Ram Resident of village - Dainmarwa, P.S. -
Ramnagar, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Satendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-07-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard Mr. Sanjeev Kumar Singh, learned counsel for
the petitioner and Mr. Satendra Narayan Singh, learned
Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Srinagar Pujaha P. S. Case No. 33 of
2020 registered for the offences punishable under Sections 363,
366A and 34 of the Indian Penal Code and Section 8 of the
Protection of Children from Sexual Offences, Act.

The only allegation against the F.I.R. named
accused persons were found instrumental in fleeing away the
daughter of the informant.

Learned counsel appearing on behalf of the
petitioner submitted that with regard to the occurrence, which



took place on 13.04.2020, the present F.I.R. has been instituted on 03.05.2020 and no plausible explanation of delay has been given. It is further submitted that save and except the allegation that he was found instrumental in fleeing away the daughter of the informant, there is no other allegation as such, in as much as even during the course of investigation, no other material has come which suggests the complicity of the petitioner. It is next submitted that taking into account the nature of allegation, the co-ordinate Bench of this Hon'ble Court has granted anticipatory bail to two of the accused persons in Cr. Misc. No. 19783 of 2021 vide order dated 21.01.2022. The copy of which has been annexed as annexure 2 to this application.

On the other hand, learned APP for the State opposes the bail application however, he shown his inability to confront the fact that other accused persons have been granted anticipatory bail.

Having considered the submissions made on behalf of the parties and taking into account the nature of allegation as also the fact that the other accused persons have already been granted anticipatory bail by learned co-ordinate Bench of this Hon'ble court, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO -cum- Additional District and Sessions Judge VI, West Champaran, Bettiah in connection with Srinagar Pujaha P. S. Case No. 33 of 2020, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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