

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47506 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

Rohit Kumar Son of Bajrangi Singh Resident of Village - Bharthi, P.S.-
Runnisaidpur, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s :	Mrs. Divya Bharti, Advocate
For the Informant	Mr. Anil Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 13-07-2022 Let the defects, if any, be removed within four weeks from today.

Heard Mr. Pushpendra Kumar Singh, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection with Runnisaidpur P.S.Case No. 100 of 2021 for the offences punishable under Sections 363,366A of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, it is alleged that on 03.02.2021, the minor daughter of the informant aged about 13 years went to Ramjanki Temple but she did not return



till night, search was being made and the informant came to know that her minor daughter was abducted by the petitioner and co-accused Raman Kuamr.

Learned counsel appearing for the petitioner submits that with regard to the occurrence which had taken place on 03.02.2021, an FIR has been instituted on 10.02.2021 after seven days of the occurrence, but no plausible explanation had been given. It is next submitted that the victim and the petitioner had love affair and their marriage has been settled by the parents but because of some reason, the marriage could not be finalized and the victim voluntarily left the house with the petitioner. It is also submitted that the statement of the victim recorded under section 164 of the Cr.P.C, in which, she categorically stated that as initially her marriage was solemnized with the petitioner and she develop love with him and left her house voluntarily and went along with the petitioner and no other allegation has been made against the petitioner. It is next submitted that petitioner is in custody since 12.04.2021 having fair antecedent and moreover, the investigation of the crime is already completed and charge sheet has been



submitted.

On the other hand, learned counsel for the State opposed the bail application of the petitioner.

Having heard the rival contentions of the parties and taking into consideration the statement of the victim recorded under section 164 of the Cr.P.C, apart from the fact that petitioner is in custody since 12.04.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge-VI, Sitamarhi in connection with Runnisaipur P.S.Case No. 100 of 2021 subject to the condition that one of the bailors will be the close relatives 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.)

N.K/-

U		T	
---	--	---	--

