

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39376 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- BELHAR District- Banka

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Ranjeet Kumar @ Ranjit Kumar S/O Mahavir Pandit @ Mahabir Pandit
Resident of Village- Rajarampur, P.S.- Belhar, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.Yogendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

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

The case is registered under sections
363(A)/366(A)/34 of the Indian Penal Code, in connection with
Belhar P.S. Case No. 07 of 2022.

The prosecution story, in brief, is that the
informant, Meena Devi has stated that on 5.1.2022, her daughter
namely Jyoti Kumar had gone for tuition adjacent to her house.
When she did not return, she apprehended that her daughter was
kidnapped by accused Karan Kumar for the purpose of marriage
and further the marriage photo was uploaded in the face book.

Learned counsel for the petitioner submits that the
allegation that has been made against the petitioner herein create



doubts, inasmuch as, the lady has not made any statement under section 164 of the Cr.P.C. against allegation of sexual assault either on brother of the petitioner namely Karan Kumar or the petitioner herein. Further, medical examination on 17.1.2022 also does not find any injury. It is his last submission that in any case, it is the co-accused Karan Kumar, his younger brother against whom the informant has made allegation. It is his next submission that he do not have any criminal antecedent.

Be that as it may, the said Karan Kumar was declared minor and is already enjoying bail by J.J. Board on 27.5.2022 while other accused persons Mahavir Pandit and Sanichari Devi are also out on bail and on considering the aforesaid fact that the petitioner is in custody since 1.4.2022, has no criminal antecedent and the charge-sheet stands submitted, 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 Judge (POCSO), Banka, in connection with Belhar P.S. Case No. 07 of 2022 subject to the following conditions:



(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, 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)

Ravi/Ajay Singh

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