

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53339 of 2021**

Arising Out of PS. Case No.-627 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

GAURI SHANKAR SINGH @ GAURI SINGH S/o Late Satya Deo Singh
R/o village- Morsand, P.S.- Runni Saidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaidehi Raman Prasad Singh, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

3 17-05-2022 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks.

In this case, case diary was called for which has now been received and perused by Mr. Jitendra Kumar Singh, learned APP for the State.

The matter relates to Runni Saidpur P.S. Case No. 627 of 2020 under Sections 363, 3669A0/34 of the Indian Penal Code and Section 4 of the POCSO Act.

The allegation is that the informant's 14 years old daughter was abducted by Gauri Singh @ Gauri Shankar Singh along with his family for marriage in connivance with Sunita Devi and Pintu Singh. He further apprehended that he may be killed.



Learned counsel for the petitioner submits that the petitioner is the father of the Rituraj Kumar & Pintu Kumar against whom the victim girl has made statement under Section 164 of the Cr.P.C. and on perusal it shows that no role has been attributed to him. He further submits that the petitioner is in jail since 15.07.2021 (as stated in paragraph -10 of the bail application) and as such petitioner being an old person, he may be granted the privilege of bail and is ready to abide by any of the terms and conditions, if he is released on bail.

Taking into account the fact that the victim girl in her statement under Section 164 Cr.P.C. has alleged the role of Rituraj Kumar & Pintu Kumar, the petitioner is in custody since 15.07.2021 and charge-sheet stands submitted in the matter, this Court is inclined to grant him the privilege of bail with conditions.

Let the 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 Special Judge (POCSO Act), Sitamarhi in connection with Runni Saidpur P.S. Case No. 627 of 2020, 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 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.

The bail application is allowed with the aforesaid observations.

(Rajiv Roy, J)

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