

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58394 of 2021

Arising Out of PS. Case No.-548 Year-2021 Thana- SITAMARHI District- Sitamarhi

Sudhir Kumar S/O Shambhu Ram R/O Village-Singrahiya, P.S-Sahiyara,
District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 12-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 344, 347, 376, 323, 406, 34 of the Indian Penal Code and Section 4/6 of POCSO Act.

According to prosecution case, one victim has given her fardbeyan on 12.07.2021 before the police alleging therein that she is resident of Bangal and her father is ill since long period as such she is facing problem to maintain her family due to that she is in need of job. It is stated that Sitaram Ram brought all of them in Bihar and kept them some times at different place and thereafter kept the victim and others in the



rental room situated in mohalla Mohanpur Sitamarhi. It is further stated that Sitaram Ram and his friends Satrugan Kumar, Sudhir Kumar began to visit at her room regularly and one day they advised the victim and others to work in Arkeshttra but all of them refused to do so as such they closed all of them in a room and threatened them.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is direct allegation of assault against the co-accused namely Sitaram Ram. He further submits that there is specific allegation of assault against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 12.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Sitamarhi



P.S. Case No. 548 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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