

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53735 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- KHAJAULI District- Madhubani

Amresh Kumar Singh @ Amresh Kumar Mahto, S/o Ram Ashish Singh,
Resident of Village- SukkiDhatta Tol, P.S.-Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 23-12-2022 This matter has been listed today for consideration
through Video Conferencing.

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

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Khajauli
P.S. Case No. 69 of 2022 registered for the offence punishable
under Sections 366 (A), 504, 506/34 of the Indian Penal Code
and 08/12 of the POCSO Act, 2012.

As per the prosecution case, petitioner alongwith co-
accused persons abducted the minor daughter of the informant
with intention to marry her with the petitioner.



Learned counsel for the petitioner submits that the alleged occurrence has taken place on 26.04.2022 and the FIR lodged on 04.05.2022 i.e. after lapse of eight days. He further submits that the victim girl gave her statement under Section 164 Cr.P.C. stating that she herself had gone to Mumbai and the petitioner has not committed any misbehave with her. Moreover, the court below has assessed her age as 18 years and in medical examination her age was found 19 years. The petitioner is in custody since 20.05.2022 and charge-sheet has already been submitted against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the bail of petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI-cum-Special Judge (POCSO), Madhubani, in connection with Khajauli P.S. Case No. 69 of 2022, with following conditions:-

(i) 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.

(ii) If the petitioner tampers with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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