

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3849 of 2023

Arising Out of PS. Case No.-100 Year-2022 Thana- LAUKARIA District- West Champaran

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UMESH GOND S/O PARAS GOND R/v- Jhikari Tola- Binwalia, P.S.-
Laukariya, District- West Champaran Bettiah

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 19-05-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Laukariya P.S. Case No. 100 of 2022, registered for the offences punishable under Sections 363, 366(A), 504/34 of Indian Penal Code and 8 of the POCSO Act.

The allegation against the petitioner is of kidnapping minor daughter of the informant.

The learned counsel for the petitioner has submitted that the victim herself didn't support the allegation as mentioned in the FIR. The petitioner is under custody since 30.09.2022 and he is a person of clean antecedent.

On the other hand, Shri Shailendra Kumar, learned APP though opposed the prayer for bail but fairly conceded that



the victim didn't support the occurrence in her statement under section 164 of the Cr.P.C.

Considering the above-mentioned facts and circumstances, clean antecedents as well as the period of detention, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 7th Additional District and Session Judge cum Special Judge POCSO, West Champaran, Bettiah in connection with Laukariya P.S. Case No. 100 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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