

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10673 of 2023**

Arising Out of PS. Case No.-175 Year-2022 Thana- BUNIYAD GANJ District- Gaya

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DHIRENDRA THAKUR S/o Dinesh Thakur R/o Village- Alipur, P.S.-
Buniyadganj, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Saxena, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 24-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
09.06.2022 in connection with Buniyadganj P.S. Case
No.175/2022, F.I.R. dated 08.06.2022, for the offences
punishable under Sections 363, 366(a), 376 of the IPC and
Section 5/6 of POCSO Act.

According to prosecution case, the petitioner is alleged
to have abducted the daughter of the informant and thereafter
committed rape upon her, while his daughter went to market to
buy vegetable.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the statement of the victim was recorded under Section 161 Cr.P.C. and 164 Cr.P.C., in which she has categorically stated that due to pressure of her father, the present F.I.R. has been instituted and the petitioner has not committed any wrong with her. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 09.06.2022.

Learned Additional Public Prosecutor for the State on the other hand 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 Special Judge POCSO Court-cum-Additional District and Sessions Judge-VI, Gaya in connection with Buniyadganj P.S. Case No. 175/2022, 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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