

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12821 of 2023

Arising Out of PS. Case No.-274 Year-2021 Thana- KOTWALI District- Munger

=====

Sujeet Kumar @ Sanjeev Kumar S/o Late Mahendra Mandal R/o Village-
Panchmukhi, Dashrathpur, P.S.- Dharahra, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
20.12.2022 in connection with POCSO Case No. 43 of 2021,
arising out of Kotwali P.S. Case No. 274 of 2021, F.I.R. dated
15.06.2021 for the offences punishable under Section 366(A)
of the Indian Penal Code.

According to prosecution case, in brief, is that one
Gopal Kumar filed a written report stating therein that on
14.06.2021 at about 07:00 A.M. his daughter aged about 15
years had gone to Chandika Sthan for worshipping but did not
return. On search, it has come to know that Sujeet Kumar
(petitioner) had enticed away the victim with an intention of
marriage. It is further alleged that the victim has taken
Rs.75,000/- and 6 Bhar Gold with her.



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 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 164 of Cr.P.C. in which she has categorically stated that the petitioner has not committed anything and she has gone with the petitioner to marry him with her own will. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in judicial custody since 20.12.2022.

The learned Additional Public Prosecutor for the State 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 Exclusive Special Judge (POCSO Act)-cum-Additional Sessions Judge-VI, Munger in connection with POCSO Case No. 43 of 2021, arising out of Kotwali P.S. Case No. 274 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)

mdrashid/-

U		T	
---	--	---	--

