

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12575 of 2023

Arising Out of PS. Case No.-310 Year-2020 Thana- MANER District- Patna

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JITIA MUNDA Son of Dhucha Munda, Resident of Village- Nehalu Bartoli,
P.S.- Bero, District- Ranchi (Jharkhand), at present resident of Sona Int
Bhatta, Byapur, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr.Madan Kumar

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

ORAL ORDER

2 16-05-2023 Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Special Case No. 117 of 2020, arising out of Maner P.S.
Case No. 310 of 2020, registered for offence punishable under
sections 323, 341, 342, 376 (DA), 417, 120(B) of the Indian
Penal Code and Sections 4/6 of the POCSO Act.

The learned counsel for the petitioner has submitted
that the petitioner is not named in the FIR. There is no allegation
at all against him. The allegation of rape is against co-accused
Chandan Kumar. The allegation against Renu Devi is that she
brought the victim to Chandan Kumar. He has submitted further
that the victim has been examined during the course of trial, but



she did not support the prosecution case and turned hostile. The petitioner is under custody since 24.06.2020 and he is a person of clean antecedent. The other co-accused persons, namely, Basu Uraon and Rajendra Uraon @ Rajendra Oraon, have been granted bail by the coordinate Benches of this Court in Cr. Misc. Nos. 48307 and 52479 of 2022.

On the other hand, the learned APP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Exclusive Special Judge (POCSO) Act, Patna in connection with Special Case No. 117 of 2020, arising out of Maner P.S. Case No. 310 of 2020, 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)

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