

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29693 of 2023**

Arising Out of PS. Case No.-139 Year-2019 Thana- CHAKAND District- Gaya

AKHILESH KUMAR @ NANHAKA MANJHI @ NANHAKA S/o-
SOHARAI MANJHI Village- Chamandih Ps- Chakand Dist- Gaya
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-05-2023 Heard the parties.

The case is registered under sections 354, 504, 34 of the Indian Penal Code and Section 12 of the POCSO Act, in connection with Chakand P.S. Case No. 139 of 2019 lodged on 05.11.2019 by the informant Reena Kumari.

As per the statement made in the FIR, the accused persons used to tease her and on the date of occurrence also abused her and on 'hulla', they fled away.

Earlier the case was taken up and vide an order dated 05.09.2022, the same was rejected in Cr. Misc. No. 26598 of 2022.

Once again the present petition was filed.

Considering the fact that the petitioner is in custody



since 26.03.2022 (as stated in para-14 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail, subject to certain conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with J Chakand P.S. Case No. 139 of 2019 to the satisfaction of learned Special Judge (POCSO Act), Gaya, subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Prakash Narayan /-

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