

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30373 of 2023

Arising Out of PS. Case No.-64 Year-2023 Thana- DIGHA District- Patna

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PANKAJ SINGH @ PANKAJ KUMAR SINGH SON OF HARENDAR
SINGH R/O VILLAGE- PARMANAND CHHAPRA, P.S.- AMNAUR,
DISTRICT- SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr.Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Digha P.S. Case No. 64 of 2023 for the offence punishable under Section 366(A)/34 of the Indian Penal Code lodged on 22.1.2023 by the informant, Abhay Kumar.

As per the prosecution story, the victim girl was missing and he got information that she is living with the petitioner as per a photo provided in the mobile. Accordingly, the FIR.

Subsequently, the victim girl returned. She has not stated anything against the petitioner and further refused to go for the medical examination. The same has been brought on record by way of Annexure-2 series the petitioner.



Learned APP opposes the prayer stating that the girl is minor.

Considering the fact that the girl has not alleged anything against the petitioner, she chose not to go for the medical examination, do not have any criminal antecedent and is in custody since 25.1.2023 (para-17 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Patna, in connection with Digba P.S. Case No. 64 of 2023 subject to the 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 his



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 his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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