

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33748 of 2023

Arising Out of PS. Case No.-113 Year-2023 Thana- SONBERSA District- Sitamarhi

Vikki Kumar, Son of Late Lalbabu Rai @ Late Lalu Prasad Yadav Resident
Of Village- Belahi Lachchi, Ward No.-12, P.S.-Minapur, Dist.-Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate Mr. Rajeev Ranjan No.II, Advocate
For the Opposite Party/s	:	Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-06-2023 Heard the learned counsel for the petitioner and
learned APP for the State.

This application has been filed for grant of regular
bail in connection with Sonbarsa P.S. Case No. 113/2023
registered for the offence under Sections 363, 366A / 34 of the
Indian Penal Code and Section 8/10 of the POCSO Act.

The allegation against the petitioner as per the
F.I.R. is that informant's minor daughter aged about 14 years
was kidnapped away by the petitioner while she was going to
uproot Sarso crop.

Learned counsel for the petitioner submits that the
petitioner is quite innocent and has falsely been implicated in
this case. The victim girl in her statement under Section 164 of



the Cr.P.C. has not supported the prosecution case. She has given statement that she went to the house of her own Mausi because her mother scolded her and nobody has kidnapped her. There is no allegation of overt act against the petitioner in the statement of the victim. The petitioner is in jail custody since 21.03.2023. He has further submitted that the petitioner and his family members have been implicated in one more case also. He has further submitted that charge sheet has already been submitted in this case and there is no chance of absconding of the petitioner or tampering with the evidence in this case.

Learned APP for the State has vehemently opposed the prayer of bail.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, 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 Additional Sessions Judge – VI – cum- Special Judge (POCSO Act), Sitamarhi in connection with Sonbarsa P.S. Case No. 113 of 2023 subject to the following conditions:-

(i) 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.

(ii) In case of absence on two consecutive dates without sufficient reason or if the petitioner misuse the liberty or violate any of the conditions imposed upon him his bail bond will be liable to be cancelled by the Court concerned.

(iii) If the petitioner tampers with the evidence or the witness, in that case the prosecution will be at liberty to move for cancellation of bail.

(Sunil Dutta Mishra, J)

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