

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33307 of 2023

Arising Out of PS. Case No.-450 Year-2022 Thana- SIRDALA District- Nawada

RAJESH RIKIYAS @ RAJESH SIKIYAS @ RAJESH RIKIYASAN Son of
Bangali Manjhi Resident of village - Chhonubigha, P.S.- Sirdala, District -
Nawada (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar

For the Opposite Party/s : Mr.Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sirdala P.S. Case No. 450 of
2022 dated 30.07.2022 registered for the offences punishable
and under Sections 363 and 365 of the Indian Penal Code,
Section 8 of the POCSO Act and Section 37(c) of the Bihar
Prohibition and Excise Act.

As per the prosecution case, the allegation against the
petitioner is of taking 7 years old child and he was found in
intoxicated conditon.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.07.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner picked up a sever years girl in intoxicated condition.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Sirdala P.S. Case No. 450 of 2022, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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