

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34353 of 2023

Arising Out of PS. Case No.-617 Year-2022 Thana- BUXAR District- Buxar

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Ramashankar Prasad @ Ramashankar Kumar @ Golu Kumar Son of
Kunjbihari Singh @ Kunj Bihari Singh R/O Vill.- Nahar By-Pass Road,
Koirpurva, Ward No.- 32, P.S.- Buxar (Nagar), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kr. Pandey, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 27-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with POCSO
Case No. 08/2023 arising out of Buxar (Nagar) P.S. Case No.
617 of 2022 registered for the offence under Sections 363, 365,
366A, 376/34 of the Indian Penal Code and Section 4 of
POCSO Act, 2012.

The accused/petitioner is not named in the F.I.R. and
is in custody since 11.11.2022.

The allegation against this petitioner is to kidnap the
daughters of informant.



Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated with present case merely on the basis of suspicion. It is submitted that the statement of both victims were recorded under Section 164 of the Cr.P.C., where she clearly denied the allegation against this petitioner saying that she went with her own with co-accused, namely, Raj Kumar, who has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 13634 of 2023 vide order dated 26.04.2023. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing stated incriminating through statement, as recorded under Section 164 of the Cr.P.C. against petitioner, where he is in custody since 11.11.2022, coupled with the fact that charge-sheet has already submitted, accordingly the petitioner, above named, is directed to be released on bail in connection with POCSO Case No. 08/2023 arising out of Buxar (Nagar) P.S. Case No. 617 of 2022 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, VI-cum-Special Judge, POCSO, Buxar at Buxar/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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