

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33709 of 2023

Arising Out of PS. Case No.-1234 Year-2022 Thana- SAHARSA SADAR District- Saharsa

Ajit Kumar S/O- Koko Sharma Village- New Colony Ward no-8, Ps- Saharsa
Sadar and Dist- Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Verma, Advocate
For the APP	:	Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

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

The petitioner seeks regular bail in connection with
POCSO Case No. 5 of 2023 arising out of Saharsa Sadar P.S. Case
No. 1234 of 2022 for the offence registered under Section 341, 342,
323, 354-A, and 34 of Indian Penal Code and Section 8/12 of
Prevention of Children from Sexual Offences Act, 2012.

As per prosecution case, the allegation against the
petitioner is that he along with other three co-accused persons
abducted the minor daughter of the informant with bad intention.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case on
the basis of suspicion only and there is no material against the
petitioner. Charge has already been framed and the trial of the case
has already been started. Petitioner is in jail custody since 24.12.2022
having no criminal antecedent.



Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Saharsa in POCSO Case No. 5 of 2023 arising out of Saharsa Sadar P.S. Case No. 1234 of 2022, 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)

shweta/-

U		T	
---	--	---	--

