

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35868 of 2023

Arising Out of PS. Case No.-218 Year-2022 Thana- PARWALPUR District- Nalanda

RIPUNJ KUMAR S/O PAWAN MAHTO R/O Village- Dhanawan, P.S-
Parwalpur, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2023 No one appears on call on behalf of the petitioner.

The petitioner is in judicial custody in connection with Parwalpur P.S. Case No. 218 of 2022 POCSO Case No. 138 of 2022 for the offence punishable under Sections 341, 323, 504, 506, 354(A)(B), 34 of the I.P.C. and 8/12 of POCSO Act lodged on 1.11.2022.

As per the prosecution story, the allegation is that the petitioner tried to take away the minor victim girl. She anyhow managed to return home. Thereafter, they went to accused's home but were abused. Accordingly, the FIR.

As per the petition, due to village rivalry, the victim girl has been put forward by the informant to implicate the petitioner.

Learned APP opposes the prayer for bail.



Taking into account the aforesaid facts as also his period of custody (4.4.2023), 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 Sessions Judge-VII-cum-Spl. Judge, POCSO Act, in connection with Parwalpur P.S. Case No. 218 of 2022 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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