

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36514 of 2023

Arising Out of PS. Case No.-180 Year-2023 Thana- RAXAUL District- East Champaran

ANSHU KUMAR Son of Birendra Paswan Resident of village - Ahirwa Tola,
P.S. - Raxaul, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in judicial custody in connection with Raxual P.S. Case No. 180 of 2023 registered under Sections 366A, 367, 368 and 370 of the Indian Penal Code lodged on 11.04.2023 by the informant, Md. Samir.

3. As per the prosecution story, the informant alleged that his minor daughter went to the market but failed to return, later came to know that the named accused persons had taken her to Hayderabad. Accordingly, the FIR.

4. In this case, case diary was called for by a co-ordinate Bench of this Court on 24.06.2023 which has since been received.

5. As per Section 164 of the Cr.P.C. statement of the



victim girl who returned very next day of the lodging of the FIR, she has stated that due to scolding by her mother, she left the place. She further called this petitioner who was known to her since school time and they kept on roaming for some time and later returned. She has further not alleged anything against this petitioner.

6. Taking into account the said deposition of the victim girl under Section 164 of the Cr.P.C. coupled with the fact that the petitioner has clean antecedent, he is 21 years of age and is in custody since 12.04.2023 (as stated in paragraph-10 of the petition, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge cum Special Judge, POCSO Act, East Champaran, Motihari in connection with Raxual P.S. Case No. 180 of 2023 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/her *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/her bail bond by the Trial court itself;

(iii) 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 his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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