

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37972 of 2023

Arising Out of PS. Case No.-146 Year-2021 Thana- PUNAURA District- Sitamarhi

HARI KISHORE RAI S/O NAGENDRA RAI R/O Village- Mirjapur Ward
No. 4 PS. Punaura, Dist. Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 05-07-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Punaura P.S. Case No. 146 of 2021, registered for the offences punishable under Sections 363, 366A/34 of the IPC.

As per allegation, five named accused persons, who are family members, kidnapped the minor daughter of the informant.

The learned counsel for the petitioner has submitted that the entire allegation is false. The victim did not support the prosecution case and she is on the verge of majority as her date of birth is 05.02.2005, which has been mentioned in the impugned order.



On the other hand, the learned APP for the State Sri Shailendra Kumar has opposed the prayer for bail.

Considering the fact that the victim did not support the prosecution case in her statement recorded under Section 164 of the Cr.P.C., let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 6th cum Special Judge (POCSO Act) Sitamarhi District- Sitamarhi in connection with Punaura P.S. Case No. 146 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, his bail bond shall be liable to be cancelled.

(Nawneet Kumar Pandey, J)

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