

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54298 of 2023

Arising Out of PS. Case No.-30 Year-2022 Thana- HARLAKHI District- Madhubani

RAM LALIT RAY SON OF DINESH RAY RESIDENT OF VILLAGE-
SUKHWASI, PS- HARLAKHI, DIST- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-08-2023 Heard the parties.

2. The petitioner is in Judicial custody in connection with Harlakhi P.S. Case No. 30 of 2022 arising out of G.R. No. 48 of 2023, instituted under Sections 363, 366(A) 395 of I.P.C. and Section 4 of POCSO Act, lodged on 02.02.2022 by the informant, Sudhir Thakur.

3. As per the prosecution story, the informant alleges that the victim girl went out for tuition but failed to return and further it came to light that the petitioner who is already married took her away for another marriage. Accordingly, the F.I.R.

4. Learned counsel for the petitioner has taken the Court to Annexure-2 which is deposition of the girl as P.W.2 before the Court concerned in which she has narrated that she left her home for Ranchi on her own staying with the petitioner,



married in a temple on 10.01.2022 and presently the couple is blessed with the child.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions put forward by learned counsel for the petitioner, though it is deprecable that despite being married person, he allured the girl which resulted into second marriage and now the couple is blessed with a child, since the girl has deposed that she left home on her own and the petitioner is in custody since 17.02.2023 (Para 9 of the bail petition) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Additional Sessions Judge-VII-cum-Special Judge (POCSO Court), Madhubani, in connection with Harlakhi P.S. Case No. 30 of 2022, arising out of G.R. No. 48 of 2023, subject to 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 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 the bail bonds.

(Rajiv Roy, J)

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