

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52529 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- RAJAOLI District- Nawada

VIKASH KUMAR @ BIKAS KUMAR SON OF ASHOK SHARMA
RESIDENT OF VILLAGE- MAJHGAWN, PS- SIRDALA, DISTT-
NAWADA. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Raulai P.S. Case No.42 of 2023 instituted under Sections 363 and 366(A) of IPC and Section 8 of POCSO Act lodged on 19.01.2023 by the informant Pramod Rajanshi.

As per the prosecution story, the allegation is that the informant daughter went out of house for taking tuition but failed to return and he had all the reason to believe that the petitioner along with his associate kidnapped the girl. Accordingly, the FIR.

Learned counsel for the petitioner straight away took this Court to the deposition of the girl after she returned according to which she informed that her father had solemnized the marriage with this petitioner two months ago and now a case has been lodged against him. Further, she was pressurized to say that the boy is a criminal. She has submitted that she want to



live with this petitioner as he has kept her in a good health and cheers.

Learned APP opposes the prayer for bail but concede that in view of the statement made by the victim girl nothing remains.

Taking into account the submissions put forward by the rival parties, going through the 164 Cr.P.C. statement, made by the victim girl, the custody period of the petitioner (22.02.2023) and do not have criminal antecedent, this Court is inclined to grant him privilege of bail.

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 in connection with Raulai P.S. Case No.42 of 2023 to the satisfaction of learned Additional District & Sessions Judge, VI cum Special Judge (POCSO), Nawada, 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 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;

(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)

Prakash Narayan

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