

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56037 of 2022

In
CRIMINAL APPEAL (SJ) No.1015 of 2022

Arising Out of PS. Case No.-133 Year-2020 Thana- MAHISHI District- Saharsa

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AMIT KUMAR YADAV Son of Mahadev Yadav Resident of Village - Bali,
P.S.- Ghailadh, District - Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Diwakar Ram Son of Late Chandeshwari Ram Resident of Village - Bareta,
P.S.- Mahishi, District - Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr.Usha Kumari 1

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

ORAL ORDER

6 20-03-2023 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Mahishi P.S. Case No. 133 of 2020, registered for the
offences punishable under Sections 363, 366(A) of the Indian
Penal Code along with Section 4 of POCSO Act and Section
3(1)(r)(s), 3(2)(VI)(A) of SC & ST Act.

The learned counsel for the petitioner has



submitted that though the victim has stated that the petitioner forcibly seated her on motorcycle and he took away the victim, but she has categorically stated that petitioner did not commit any evil deed with the victim. The petitioner is under custody since 25.08.2020

On the other hand, the learned Special PP has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, 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-1-cum-Special Judge (POCSO) Saharsa in POCSO in connection with Mahishi P.S. Case No. 133 of 2020, 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, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance



with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

kundan/Nirmal

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