

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57387 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- MAHILA P.S. District- Madhepura

Raman Kumar S/O - Laddu Mandal R/O Village - Biriranpal, (BIRI Ranpal)
Ward No. - 3, P.S. - Udakishunganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Pawan Kumar, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-09-2023 Heard Mr. N.K. Agrawal, learned senior counsel for
the petitioner and learned Additional Public Prosecutor for the
State.

2. Petitioner seeks bail who is in custody since
10.07.2023 in connection with Madhpura Mahila P.S. Case No.
11 of 2023, F.I.R. dated 27.04.2023 for the offences punishable
under Sections 366(A), 376, 504, 506/34 of the Indian Penal
Code and Section 4/6 of the POCSO Act.

3. According to prosecution case, this petitioner along
with other accused persons have kidnapped the daughter of the
informant and thereafter the petitioner tried to made physical
relation with her.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the statement of the victim was recorded under Section 164 of the Cr.P.C. in which she has not supported the case of the prosecution and she has categorically stated that no one has abducted her and she has left her house with her own sweet will. The petitioner is in custody since 10.07.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI cum Special Judge POCSO, Madhepura in connection with Madhpura Mahila P.S. Case No. 11 of 2023, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and



on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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