

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60269 of 2022

Arising Out of PS. Case No.-529 Year-2021 Thana- BHORE District- Gopalganj

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BABI RAM Son of Sukdeo Ram Resident of Village- Harihar Chhaper, P.S.-
Bhore, District- Gopalganj

... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

3 23-03-2023 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 Bhore P.S. Case No. 529 of 2021, registered for the offences punishable under Sections 366-A IPC, Subsequently the chargesheet is submitted under section- 366-A, 376(3), 342, 504, 506/34 of IPC and sections 4/6 of The Protection of Children from Sexual offences Act 2012.

As per allegation, the petitioner along with his family members enticed away the minor daughter of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is a person of clean antecedent and languishing in custody since 12.06.2022. He has further submitted that the witnesses



examined in paragraph Nos. 83 to 87 of the case diary have stated that the informant himself had concealed his daughter in the in-law's house of his brother and falsely implicated the petitioner and his family members. The learned counsel has also submitted that paragraph No. 22 of the case diary shows that the victim herself appeared before the police.

On the other hand, the learned Addl.P.P. has opposed the prayer for bail and submitted that the victim has supported the prosecution case in her statements recorded under Sections 164 and 161 of the Cr.P.C.

Considering the clean antecedent as well as the period of incarceration and also considering the material collected in course of investigation, 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 VIth, Additional Session Judge-Cum-Special Judge, POCSO, Gopalganj in connection with Bhore P.S. Case No. 529 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, 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.

(Nawneet Kumar Pandey, J)

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