

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65205 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- DHANKUND District- Banka

=====

LAGANDEO KUMAR RAM @ LAGANDEO KUMAR S/o Natu Ram R/o
Village- Sainchak, P.S.- Dhankund, Distt- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Dhankund
P.S. Case No. 61 of 2022 dated 11.07.2022 registered for the
offence under Sections 366(A), 379 and 506 of the Indian Penal
Code and Sections 8 and 12 of the POCSO Act.

The daughter of the informant is alleged to have been
kidnapped by the petitioner and the other accused persons.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation as alleged in the F.I.R. is false and fabricated. He
further submits that the victim was having love affairs with the
petitioner and they have performed marriage on 07.07.2022 and



thereafter the present case has been instituted by the parents of victim. He further submits that the victim in her statement recorded under Section 164 Cr.P.C. has categorically stated that she has performed marriage with the petitioner in the Papharni Mandir (Bounci). She has not supported the allegation of her kidnapping. He further submits that the medical report of the victim suggests that no external or internal injury has been found on the person of the victim. The doctor has assessed the age of the victim as below 18 years. Therefore, no case under Section 366(A) of the Indian Penal Code is made out against the petitioner. The petitioner is rotting in judicial custody since 16.07.2022.

Learned A.P.P. for the State on the other hand opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-VI -cum- Special Judge, POCSO, Banka in connection with Dhankund P.S. Case No. 61 of 2022 with the following conditions:-

(1) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

(3) One of the bailors shall be the victim, namely, Sapna Kumari, who is daughter of the informant.

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)

brajesh/-

U		T	
---	--	---	--

