

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4569 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- RAJAON District- Banka

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ARBIND KUMAR SAH SON OF LATE PRAKASH SAH RESIDENT OF
VILLAGE - RATANGANJ, P.S. - SAJOUR, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-02-2024 No one appears on behalf of the petitioner.

2. The petitioner is in judicial custody in connection with Rajoun P.S. Case No. 270 of 2023 for the offence punishable under Sections 366(A) of the Indian Penal Code and section 12 of the POCSO Act lodged on 3.6.2023 by the informant, Gopal Prasad Singh.

3. As per the prosecution story, the informant alleged that his daughter went out to attend nature's call but disappeared. Later, he came to know that this petitioner has taken her away. Subsequently, the girl was recovered and she made a statement under section 161 and 164 of the Cr.P.C. stating that she had love affairs with the petitioner and has married him. This fact found incorporated in the order of learned Session Judge dated 18.12.2023.



4. Taking into account the aforesaid facts as also that he is in custody since 11.11.2023 (para-11 of the petition) and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

6. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-6-cum-Special Judge, POCSO, Banka, in connection with Rajoun P.S. Case No. 270 of 2023 subject to the 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) the petitioner shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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