

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9876 of 2024

Arising Out of PS. Case No.-10 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Rajesh Thakur @ Rajesh Kumar Son Of Manik Thakur R/O-Balthar, P.S.-
Deoghar, Distt.-Deoghar, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-02-2024 Heard Mr. Pratik Kumar, learned counsel for the

petitioner and Mr. Chandra Bhushan Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jagdishpur P.S. Case No. 10 of 2023, F.I.R. dated 06.01.2023 for the offences punishable under Sections 366A, 384, 504, 506 and 34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. According to prosecution case, petitioner along with other co-accused person is said to have kidnapped the minor daughter of the informant and also demanded ransom from him.

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 petitioner is brother-in-law of the co-accused, namely, Gautam Kumar. He further submits that statement of the victim was recorded under Section 164 Cr.P.C. in which she has not stated anything about the petitioner. He further submits that co-accused persons, namely, Dinesh Thakur, Sabita Devi and Puja Kumari have already been granted anticipatory bail by a Coordinate Bench of this Hon'ble Court vide order dated 27.07.2023 passed in Cr. Misc. No. 37665 of 2023.

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

6. Considering the aforesaid facts and circumstances and the fact that the petitioner having clean antecedent, victim has not stated anything about the petitioner and co-accused persons have already been granted anticipatory bail, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 District & Sessions Judge, VII-cum-Exclusive Special Judge, POCSO Act, Bhagalpur, Bihar in connection with Jagdishpur



P.S. Case No. 10 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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)

ajay/-

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

