

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20760 of 2024

Arising Out of PS. Case No.-698 Year-2023 Thana- BUXAR District- Buxar

Vishwajeet Kumar Son Of Akshay Singh @ Akshay Kumar Singh Resident
Of Village - Koirpurwa, Police Station - Buxar Town, District - Buxar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Setu Prateek, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Buxar Town P.S. Case No.698 of 2023, lodged on 26.12.2023,
under Section 366A of the Indian Penal Code and under
Sections 8/12 of the POCSO Act.

3. As per the prosecution, allegation against the
present petitioner is that he has kidnapped the informant's
daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the alleged victim has been recovered and recorded
her statement under Section 164 Cr.P.C. which has been
acknowledged in the order sheet. In the order sheet, it has come



that both fled away with their consent. It has come in the refusal order that the alleged victim has refused for medical examination. Counsel also submits that the date of occurrence is 19.12.2023 whereas the FIR has been lodged on 26.12.2023. The petitioner is in custody since 02.01.2024 having no criminal antecedent. Counsel for the petitioner specifically narrated in paragraph-8 that in her statement under Section 164 Cr.P.C. the victim has categorically stated before the Magistrate that she has fled away due to the attitude of her parents from the house along with cash and jewellery.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, POCSO Act, Buxar, in connection with Buxar Town P.S. Case No.698 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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 the bail bonds.

(Dr. Anshuman, J)

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