

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39282 of 2024

Arising Out of PS. Case No.-18 Year-2023 Thana- SUPPI District- Sitamarhi

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ASHUTOSH KUMAR SINGH @ CHHOTU SON OF SHAMBHU KUMAR
SINGH @ SHAMBHU SINGH RESIDENT OF VILLAGE - MANPUR
(MAKSUDPUR KARARIYA), P.S. - SHYAMPUR BHATAHA, DISTRICT -
SHEOHAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gautam Kumar Son of Madan Singh R/o Village- Kansara, P.S.- Suppi,
Dist.- Sitamarhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with a case
registered for the offence punishable u/s 363, 366A, 34 of the
IPC and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner and other co-
accused persons are said to have kidnapped the minor
daughter of the informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any
offence as alleged in the FIR. He has been falsely implicated



in this case due to enmity. There is general and omnibus allegation against the petitioner. It is submitted that the statement of victim was recorded u/s 164 of Cr.PC in which she has not levelled allegation of sexual assault against the petitioner. There is no allegation against the petitioner to tamper the evidence. It is further submitted that several similarly situated co-accused persons have been granted bail by this Court. The petitioner has three criminal antecedent and has been rotting in judicial custody since 01.02.2023.

5. Learned Additional Public Prosecutor for the State opposed the prayer for bail.

6. Considering the facts and circumstances of this case and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/the Successor Court, in connection with Suppi P.S. Case No.18 of 2023, subject to the following condition:

(i) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons,



his bail bonds shall be liable to be cancelled by the learned
court concerned.

(Anjani Kumar Sharan, J)

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