

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66246 of 2023

Arising Out of PS. Case No.-8 Year-2022 Thana- BELA District- Sitamarhi

Manoj Rai Son of Late Ram Dular Ray Resident of Village-Phulhatta, P.S.-
Bela, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Ms. X

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parwej Khan, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

7 19-04-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Bela P.S. Case No. 08 of 2022, lodged on 07.01.2022, under
Sections 363/366(A)/34 of the Indian Penal Code and under
Section 8 of the POCSO Act.

3. As per the prosecution, allegation is against the
petitioner and his brother to kidnap the daughter of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that his name has figured only due to the reason that his brother
was involved in the commission of crime. Counsel submits that



the antecedent of the petitioner is clean. The petitioner is in custody since 16.05.2023. Counsel submits that charge sheet has already been submitted as well as charge has also been framed.

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

6. It transpires to this Court that after framing of the charge no purpose shall be served keeping the accused in custody. As such, 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), Sitamarhi, in connection with Bela P.S. Case No.8 of 2022, 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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