

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80905 of 2024

Arising Out of PS. Case No.-515 Year-2022 Thana- SONEPUR District- Saran

Bablu Tiwari Son of Ram Ekbal Tiwari R/o - Bela, P.S.- Dariyapur, District- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saraswati Devi W/o Raju Tiwari R/O Chandmari, Akilpur, P.S- Akilpur, Dist.- Saran Chhapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate.

For the Opposite Party/s : Ms. Sangeeta Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 24-01-2025 Heard Mr. Ghanshyam Tiwary, learned counsel appearing on behalf of the petitioner and Ms. Sangeeta Sharma, learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with POCSO Case No. 26 of 2024, arising out of Sonepur P.S. Case No. 515 of 2022 for the offences punishable under Sections 363/366(A)/34 of the Indian Penal Code.

3. The allegation against the petitioner is of kidnapping the minor daughter of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that the



victim in her statement recorded under Section 164 Cr.P.C. has stated that she has willingly married with the petitioner. Petitioner is in custody since 02.05.2023 and he has got clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

6. Considering the aforementioned facts and circumstances of the case and the fact that the victim in her statement recorded under Section 164 Cr.P.C. has stated that she has willingly married with the petitioner and the petitioner is in custody since 02.05.2023 having clean antecedent, the petitioner, above named, 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 Exclusive Additional Sessions – Special Judge, POCSO, Saran at Chapra in connection with POCSO Case No. 26 of 2024, arising out of Sonepur P.S. Case No. 515 of 2022, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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