

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37867 of 2020

Arising Out of PS. Case No.-91 Year-2020 Thana- KADAMKUAN District- Patna

Vinod Kumar @ Vinod Prasad S/o Shri Chote Prasad Resident of Langar Toli
Gali, Nala Road, Arya Kumar Road, P.O.- Bankipore, P.S.- Kadamkuan,
District- Patna, Bihar- 800004

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Mohan Singh, Advocate
For the State : Mr. Jitendra Kumar Singh APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 26-02-2021 Heard learned counsel for the petitioner and the learned
APP for the State.

Learned counsel for the petitioner is expected to honor his
undertaking given in the instant case for depositing the requisite
court fee and to remove the defects as pointed out by office when
called upon.

The petitioner seeks bail in Kadamkuan PS Case No.91 of
2020 instituted for the offence under Sections 354 of the Indian
Penal Code and Section 8 of the POCSO Act.

It is the prosecution case that the victim has allured by this
petitioner and thereafter has caressed her body with mal
intention.

Petitioner's counsel submits that on account of dispute regarding
parking of petitioner's mobile vending at the place where the
informant's father used to park his auto, he has been implicated
in this case and having no criminal antecedents he is in custody
since 22.02.2020. Learned counsel further submits that during



the course of investigation no material has come to support the story of the informant that she has taken shelter in “Kolkatta *Bazar*” as not even Manager has been examined nor is there any protest by so many people who were present at the *Bazar*.

The learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, let the petitioner, above named, 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 Sessions Judge-1-cum-Special Judge (POCSO) Patna, in connection with Kadamkuan PS Case No.91 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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