

Learned counsel for the State has further submitted that while recording the statement of the victim under Section 164 Cr.P.C. by the learned Judicial Magistrate, the victim has claimed her age to be 17 years being minor, as such, the petitioner may not be enlarged on bail.

Having heard, learned counsel for the parties and perusing the materials brought on record, it appears that the informant has alleged the age of victim as 18 years in the FIR, even if the medical report suggests that age of the victim to be 17 years, which is an assessment of age considering plus-minus two years of age of the victim has to be assessed in favour of the accused. So far statement recorded under Section 164 Cr.P.C. is concerned, the same has been brought on record as Annexure-2 of the bail application, which do suggest that there is no allegation against the petitioner and the petitioner is in custody since 21.10.2019, as such, petitioner, (Vicky Kumar Thakur) is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IX, Dhanbad in connection with Nirsa P.S. Case No.235 of 2019, corresponding to Spl. POCSO Case No.178 of 2019, on the following conditions:-

(i) One of the bailors shall be deponent of the present case namely, Sanjay Kumar Thakur, S/o Miso Thakur, R/o- Hadiyajam Colony, P.O. and P.S.- Nirsa, District- Dhanbad (Jharkhand) and having UID Number 982542805069.

Office is directed to send photo copy of the UID Card bearing No. 982542805069 of deponent along with this order to the court below so as to verify the authenticity of the bailor.

(ii) Another bailor shall be close relative of the petitioner.

(iii) At the time of execution of bail bonds, the petitioner shall file an affidavit before the Court below that he will reunite with the victim, if the victim has no objection.

(iv) The Jail Authority shall release the petitioner only after his medical check-up.

(v) The Civil Surgeon, Dhanbad is directed to medically examine the petitioner at the time of his release and if require, petitioner shall be taken for quarantine, but if no such requirement is there, he shall be released forthwith, if not wanted in any other case.

(vi) Petitioner shall appear before the learned trial court on each and every

date fixed for his appearance, failing which the learned trial court shall cancel the bail bonds of the petitioner.

(vii) Petitioner shall also comply with all the guidelines issued by the Government to meet the challenges of Covid-19, as the country is passing through Pandemic of Covid-19.

(Kailash Prasad Deo, J.)