

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25501 of 2016

Arising Out of P.S.Case No.-244 Year- 2015 Thana -BAIRIYA District- Westchamparan(Bettiah)

Karanjeet Paswan, son of Kishore Paswan, resident of Bairiya, PS Bairiya District West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 13-07-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Bairiya P.S. Case No.244 of 2015, registered for the offence punishable under Sections 457 and 354/34 of the Indian Penal Code and under Sections 8 and 10 of the P.O.C.S.O. Act.

Allegation has been made against the petitioner that he has tried to outrage the modesty of the victim and when the victim raised alarm, the family members woke up and reached to the room of the victim, one of the accused person namely Manoj Gupta was arrested from the spot, but the petitioner has fled away.

Learned counsel for the petitioner submits that co-accused Manoj Gupta @ Manoj Kumar @Manoj Kumar Gupta has already been granted bail by this Court in Criminal Miscellaneous No.1199 of 2016.

Earlier the petitioner has moved before this Court in Criminal Miscellaneous No.7417 of 2016 and this Court vide order dated 12.04.2016 rejected the bail of the petitioner with a liberty to renew his prayer for bail after completing ten months' judicial custody.

Having considered the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10, 000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional District & Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in connection with Bairya P.S. Case No.244 of 2015 subject to the conditions that:-

- (i) one of the bailors will be a close relative of the petitioner i.e. mother/father/ wife/son of the petitioner;
- (ii) if the petitioner is found involved in similar type of case in future, the prosecution will be at liberty to make prayer for cancellation of his bail and the Court below will pass necessary order,

including cancellation of bail and;

(iii) that the petitioner would participate in the court proceeding and in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel the bail bonds of the petitioner.

(Shivaji Pandey, J)

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