

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57024 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- DIGHA District- Patna

Ram Babu Gupta S/o Sri Jay Narayan Gupta, R/o Laxmipur, P.S.- Sonbarsa,
District- Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandeep Kumar, Adv.
		Mr. Saket Tiwary, Adv.
For the Opposite Party/s	:	Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 09-10-2018 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special Case No. 29 of 2018 arising out of Digha P.S. Case No. 130 of 2018 registered for the offences punishable under Sections 354A(1) and 354-D of the Indian Penal Code and under Section 5(O), 6(C), 7, 9(f), 10 and 12 of the Protection of Children from Sexual Offences Act, 2012.

Allegation against petitioner is of misbehaving and trying to outrage the modesty of the informant and forcing her to marry with him.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner at this



stage as such, the prayer for bail is rejected.

However, after framing of charge petitioner shall be enlarged on bail by the court below on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO at Patna cum Additional Sessions Judge-1st, Patna in connection with Special Case No. 29 of 2018 arising out of Digha P.S. Case No. 103 of 2018 subject to 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and valid reason trial court shall have liberty to cancel his bail bond.

(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.

(S. Kumar, J)

Rajiv/Manoj-

U		T	
---	--	---	--

