

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5198 of 2019

Arising Out of PS. Case No.-232 Year-2018 Thana- KOTWALI District- Patna

Monu Kumar Sri Ram Lal Chaudhary @ Ram Nath Chaudhary R/O Faisad
Ka Maidan, Back of Chhpkha Mandir, P.S.- Chowk

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 21-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Special (POCSO) Case No. 63 of 2018 arising out of Kotwali P.S. Case No. 232 of 2018, C.I.S. No. 63 of 2018 registered for the offence punishable under Sections 376(D) of the Indian Penal Code and Section 6/7 of the POCSO Act.

Allegation against petitioner is of committing rape upon the informant.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that no such occurrence was committed with the informant and whole story is false and concocted. Petitioner was not apprehended on the spot and



similarly placed co-accused, namely Suraj Kumar @ Baua has been granted bail by this Hon'ble Court as contained in Annexure-4. Petitioner is in custody since 18.04.2018 having no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon 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) cum A.D.J.-I, Patna, in connection with Special (POCSO) Case No. 63 of 2018 arising out of Kotwali P.S. Case No. 232 of 2018, C.I.S. No. 63 of 2018 subject to the conditions that:-

(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 and his absence on two consecutive dates without proper and sufficient reason the trial court will be at 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)

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