

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78490 of 2018

Arising Out of PS. Case No.-194 Year-2017 Thana- RANIYATALAB District- Patna

Shiv Kumar Rai @ Shiv Kr. Ram S/o Late Sukhal Ram, Resident of village-
Ekbalganj, Nisarpura, P.S- Rani Talab, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar

For the Opposite Party/s : Mr.Sri Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 18-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Rani Talab P.S. Case No. 194 of 2017 registered for the offence punishable under Sections 341, 323, 354(B)/34 of the Indian Penal Code and Special Case No. 141 of 2018 and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter as POCSO Act).

Informant in her written complaint has stated that on 14.10.2017 at about 1.00 PM when she was looking after her crop, petitioner came there and caught her from behind and tried to drag her in the forest and outraged her modesty and also attempted to commit rape with her but somehow she managed to



escape and thereafter allegation against three other accused of similar nature, however, after raising alarm the people assembled there and she was rescued.

It has been submitted on behalf of the petitioner that petitioner has been falsely implicated in this case. There is case and counter case and allegation as made in FIR is false and concocted. Petitioner has no criminal antecedent and he is in custody since 23.07.2018.

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 Addl. Sessions Judge-1, POCSO Act, Patna, in connection with Rani Talab P.S. Case No. 194 of 2017 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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