

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25976 of 2019

Arising Out of PS. Case No.-70 Year-2018 Thana- MAHILA P.S. District- Bhojpur

SONU KUMAR @ SONU PASWAN @ PASWAN Son of Gopichand
Paswan Resident of Village - Narhi P.S.- Chandi, Distt - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 22-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 376(d), 376(2),506 IPC, Section 4/6 of the POCSO Act and Section 66(e) of the I.T. Act registered in connection with Mahila P.S. Case No. 70 of 2018 ,POCSO Case No. 33/2018.

3. It is submitted that the petitioner has been falsely implicated as evident from the very fact that the petitioner has not been named in the FIR instituted at the instance of the victim girl herself. She has specifically named six co-accused persons and the name of the petitioner has surfaced only on the extra judicial confessional statement of Chhotu Prasad, except which there is no other objective material to connect the petitioner with the alleged occurrence. There is delay of eight days in institution of the FIR on 23.05.2018 for the alleged occurrence of 15.05.2018. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned 1st A.D.J., Bhojpur at Ara, in connection with P.S. Case No. 70 of 2018, POCSO Case No. 33/2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioner.
- ii. That the petitioner shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/-

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

