

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59172 of 2019**

Arising Out of PS. Case No.-266 Year-2019 Thana- BIKRAMGANJ District- Rohtas

CHANDRA BHUSHAN PASWAN Son of Mahesh Paswan Resident of
Village - Mohni, P.S.- Bikramganj, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manindra Kumar
For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 19-09-2019

Heard learned counsel for the petitioner and learned APP for
the State.

2. The petitioner apprehends his arrest for the offences alleged
under Sections 354C, 354D, 504 and 509 of the Indian Penal Code and
Section 12 of the POCSO Act registered in connection with POCSO Case
No. 55/2019, arising out of Bikramganj P.S. Case No. 266/2019.

3. It is submitted that the petitioner has been falsely implicated in
the backdrop of petty dispute over parking of vehicles. It is submitted
that the penal Sections are bailable and the ingredients of Section 12 of
the POCSO Act is not attributable considering that the informant's
daughter was a major on the date of occurrence, her date of birth is
10.01.1999 as per her Aadhar card (Annexure-2). The petitioner
claims clean antecedents.

4. Be that it may, in the event of petitioner's arrest or surrender
within four weeks hereof let the above named petitioner be released
on provisional bail on furnishing bail bond of Rs.10,000/- [ten
thousand] with two sureties of like amount each to the satisfaction of
learned Ist Additional District & Sessions Judge, Sasaram, Rohtas in
connection with, POCSO Case No. 55/2019, arising out of Bikramganj
P.S. Case No. 266/2019 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.

5. The provisional bail granted to the petitioner shall be confirmed by the learned Court below if the informant's daughter is found to be major upon verification of her date of birth as 10.01.1999, failing which his bail bond shall stand automatically cancelled.

(Vikash Jain, J)

Chandran/-

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