

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.65443 of 2019**

Arising Out of PS. Case No.-523 Year-2019 Thana- BUXAR District- Buxar

Deepak Upadhyay Son of Ramashankar Upadhyay Resident of Village -  
Shivpuri, P.S.- Buxar Town, Dist. - Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ansar Ul Haque

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

ORAL ORDER

2      25-10-2019                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 354 (c) (d), 509/34 of the  
Indian Penal Code and 12 of POCSO Act.

Petitioner used to tease the minor girl of informant for  
which petitioner is in jail custody since 17.07.2019. Moreover,  
petitioner does not have any criminal antecedent and he appears  
to be a boy of tender age of 18 years.

Considering the aforesaid facts and circumstances as  
well as submissions of the parties, let the petitioner, above  
named, be released on bail on furnishing bail bonds of Rs.  
10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Additional Sessions Judge-I-cum Special Judge (POCSO), Buxar in connection with Buxar (Town) P.S. Case No. 523 of 2019, POCSO Case No. 28 of 2019.

However, it is made clear that if the petitioner makes any attempt to tamper with the prosecution evidence or to terrorize the prosecution witnesses, the prosecution shall be at liberty to file petition for cancellation of bail of the petitioner before the trial court and if prosecution does so, the learned trial court shall pass appropriate order after making due and proper enquiry.

**(Hemant Kumar Srivastava, J)**

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