

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69612 of 2019

Arising Out of PS. Case No.-228 Year-2019 Thana- PUNPUN District- Patna

VIKASH KUMAR Son of Late Suresh Lal @ Late Suresh Prasad Resident of
Village - Pakri Punpun, P.S.- Punpun, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeshwar Prasad Singh
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.09.2019 in connection with Spl.(POCSO) Case No. 171 of 2019 arising out of Punpun P.S. Case No. 228 of 2019 for the alleged offences under Sections 354(B), 504 and 506 of the Indian Penal Code and Section 8/12 of the POCSO Act.

3. It is submitted that the petitioner has been falsely implicated on the allegation of having misbehaved with the informant, who claims to be 15-year-old girl. The accusation of molestation is general and omnibus in nature. As matter of fact, the petitioner runs a *kirana* shop and had demanded dues in respect of purchases made from his *kirana* shop by the informant's parents. But to avoid such payment, the present case has been lodged. The petitioner has suffered over three months in custody. He claims clean antecedents.

4. Be that as it may, let the petitioner above named be released on bail on 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-I-cum-Spl Judge, POCSO, Patna in connection with Spl.(POCSO) Case No. 171 of 2019 arising out of Punpun P.S. Case No. 228 of 2019, on the following 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)

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