

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18380 of 2020**

Arising Out of PS. Case No.-357 Year-2018 Thana- PATNA CITY CHOWK District- Patna

RAKESH KUMAR @ RAKESH KUMAR CHOUDHARY S/o Pramod Choudhary @ Pramod Kumar Choudhary Resident of Kaima Shikoh, near Electric Office, Nahar Par, P.S.- Chowk, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tilak Sao

For the Opposite Party/s : Mr.Anil Kumar

Ms. Anita Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 05-06-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing lock-down on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Ms. Anita Kumar Singh, the learned APP appearing for the State.

The petitioner seeks regular bail in connection with Special Case No. 182 of 2018 arising out of Chowk P.S. Case No. 357 of 2018, registered for the offence punishable under Section 354 of the Indian Penal Code and Sections 8 /12 of the POSCO Act..

The petitioner is alleged to have misbehaved with the daughter of the informant.



It is apparent from the record that the petitioner has been alleged to have engaged in eve-teasing and there is no serious allegation of any sort of sexual assault upon the petitioner. The petitioner is stated to be having a clean antecedent and is languishing in custody since 14.9.2018. It is submitted that though, the charges have been framed on 15.2.2019, however, there is no progress in the trial inasmuch as not a single witness has been produced on behalf of the prosecution.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the aforesaid aspect of the matter and taking into account the fact that the petitioner is having a clean antecedent and there is no allegation of sexual assault apart from the fact that the petitioner is languishing in custody since about one and a half years, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Act-cum-ADJ-I, Patna in connection with Special Case No. 182 of 2018



arising out of Chowk P.S. Case No. 357 of 2018.

(Mohit Kumar Shah, J)

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