

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14836 of 2021

Arising Out of PS. Case No.-592 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Rohit Kumar (Male) aged about 25 years, son of Mukesh Chaudhary,
Resident of village- Chandralya, Post- Chandralya, Police Station- Hajipur
Sadar, District-Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Gajendra Kumar Singh, Advocate
For the State : **N o n e**

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 21-10-2021 Heard learned counsel for the petitioner. None has
appeared on behalf of the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in Hajipur Sadar PS Case No.
592 of 2020, instituted for the offence under Sections 342,
120B, 366(A), 370, 372, 373, 376, 376(D) and 34 of the Indian
Penal Code, Sections 3,4,5, 6, 7 and 9 of the Immoral Traffic
(Prevention) Act, Sections 8 and 12 of the Protection of
Children from Sexual offences Act (for short 'POCSO Act') and
Sections 75/26 of the Juvenile Justice Act.



There is an allegation against the petitioner in the First Information Report (for short 'FIR') that he has established forcible sexual relation with the victim/informant.

The learned counsel for the petitioner has placed on record, the Chief Examination on oath of the informant/victim at the trial which is annexed as Annexure-2 to the supplementary affidavit. Referring to the same, he submits that the victim/informant has stated the name of Ravi, Abhay, Ramesh, Rakesh, Mukesh and Raja. However, she has omitted to state the petitioner's name at the trial though the name has been indicated in the FIR. The further submission is that since 29.09.2020, the petitioner is in custody. He is accused in one more case and he is on bail in that case.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned Exclusive Special Court- POCSO- cum- Children-cum- Additional District and Sessions Judge- VI, Vaishali at Hajipur,



in connection with Hajipur Sadar P. S. Case no. 592 of 2020,
subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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