

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.16276 of 2021**

Arising Out of PS. Case No.-593 Year-2020 Thana- KAHALGAON District- Bhagalpur

SATYAM SINGH Son of Sri Dharmendra Singh Resident of Village -
Sarvadipur, P.S.- Kahalgaon, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Krishna, Advocate

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 30-06-2021 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with POCSO Case No. 109/2020 arising out of Kahalgaon P.S. Case No. 593/2020 registered for the offences punishable under Section 354(A)/354©/506/34 of the Indian Penal code and Section 8 of the POCSO Act & Section 67 of IT Act.

As per prosecution story, It is alleged by the informant that the accused persons used to sexually harass the daughter of the informant since last three months. Sanjeev Singh used to call



on the mobile of the informant's daughter and he used to send dirty messages, he calls her to come at the room of his friend Satyam Singh.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is general and vague allegation against the petitioner and the petitioner is in custody since 26.11.2020 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein learned counsel for the petitioner has submitted from the First Information Report that the thrust of the allegations are against co-accused Sanjeev Singh who was allegedly making call on the mobile number of the daughter of the informant and it was he who was sending the messages, so far as the present petitioner is concerned he has been made accused on vague allegations that the co-accused Sanjeev Singh was calling the daughter of the informant to come on the room of the petitioner, petitioner has remained in custody in connection with the present case since 26.11.2020, he has otherwise no criminal antecedent, investigation against him is



complete but the trial is not likely to be concluded in near future, considering all these aspects of the matter this Court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court-II (POCSO Act) – cum – Additional District & Sessions Judge – VIII, Bhagalpur, in connection with POCSO Case No. 109/2020 arising out of Kahalgaon P.S. Case No. 593/2020 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage



it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

