

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17370 of 2021**

Arising Out of PS. Case No.-6 Year-2019 Thana- BIDUPUR District- Vaishali

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MUKESH KUMAR @ MUKESH PASWAN son of Bhushan Paswan resident
of village- Basantpur Kakarhara P.S- Bidupur Dist- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 08-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Bidupur P.S. Case No. 06
of 2019, registered for the offence punishable under Sections
376, 511 of the Indian Penal Code and section 8 of the POCSO
Act.

As per the prosecution case, while the daughter of
informant was going to her house, on the way, this petitioner
dragged her into a field and tried to outrage her modesty.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Petitioner is
next door neighbour of the victim girl. Petitioner claims clean



antecedent and he is in custody since 21.09.2020. Investigation is complete.

Counsel for the State opposed the bail application and submitted that there is specific and direct allegation against this petitioner that this petitioner tried to outrage the modesty of victim girl and the victim girl in her statement under Section 164 Cr.P.C has supported the prosecution case.

Considering the period of custody and petitioner is having clean antecedent, the petitioner above-named, is directed to be enlarged 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-Additional District & Sessions Judge VI, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 06 of 2019, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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