

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23748 of 2021**

Arising Out of PS. Case No.-78 Year-2019 Thana- MAHILA P.S. District- Samastipur

SONU KUMAR SON OF SHANKAR MAHTO RESIDENT OF VILLAGE-
MATUA, P.S. WARISHNAGAR, DISTRICT- SAMASTIPUR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kumari Vandana, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

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

2 14-09-2021 Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Md. Fahimuddin, learned APP for the State.

Petitioner in the present case is seeking regular bail in connection with T.R. No. 182 of 2020 of arising out of Mahila P.S. Case No. 78 of 2019 (It seems that in the petition wrongly typed as 2020) registered for the offences punishable under Section 8 of the POCSO Act and 342, 354(B), 506 of the Indian Penal Code. He is in custody since 6.7.2020.

Learned counsel for the petitioner submits that after investigation police has submitted charge sheet under Section 342, 354(D), 506 of the Indian Penal Code and Section 12 of the POCSO

Act, and considering the fact that the petitioner has remained in jail for over one year as also that he has got no criminal antecedent this Court may enlarge him on bail.

Learned APP for the State has though opposed the prayer for bail of the petitioner but considering the facts and circumstances of the case and in the nature of the submissions on behalf of the petitioner this Court directs release of the petitioner on bail on furnishing bail bond of Rs. 25000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum- Special Court, POCSO, Samastipur in connection with Mahila P.S. Case No. 78 of 2019.

And 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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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'.