

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37394 of 2021

Arising Out of PS. Case No.-320 Year-2020 Thana- BIHTA District- Patna

PAWAN PASWAN S/O SRI CHINTA PASWAN R/o village- Kanchanpur,
P.S.- Bihta, District- Patna

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

Appearance :

For the Petitioner : Mr .Pushpendra Priyedarshi, Advocate.
For the State : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 14-12-2021 The applicant/accused in Crime No.320 of 2020 registered with Police Station-Bihta for the offences punishable under Sections 341, 448, 323, 354(B), 504 and 506 of the Indian Penal Code as well as under Sections 8/12 of the POCSO Act by this application is seeking his release on bail after filing of the charge-sheet.

Heard learned counsel appearing for the applicant/accused. He submits that the investigation of the crime in question is already over and the applicant is undergoing pretrial detention from about one year.

Learned A.P.P. opposed the application.

I have considered the submissions so advanced and also perused the materials placed before me.

The crime in question is registered on the basis of the F.I.R.



lodged by the victim minor female child. She alleged that the applicant had caught her hand and had attempted to commit rapier on her but as her family members gathered on the spot, the applicant ran away.

The investigation of the crime in question is already over. The applicant is undergoing pretrial detention for a period of about one year. Hence, no further pretrial detention of the applicant is warranted considering the nature of allegations against him. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.320 of 2020 registered with Police Station-Bihta for the offences punishable under Sections 341, 448, 323, 354(B), 504 and 506 of the Indian Penal Code as well as under Sections 8/12 of the POCSO Act be released on bail on executing P.R. bond of Rs.20000/-(Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.



(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

(IV). The applicant should not contact the victim minor female child or her relatives in any manner during the pendency of the trial against him.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

P.S./-

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