

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36476 of 2020

Arising Out of PS. Case No.-306 Year-2019 Thana- PUNPUN District- Patna

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Raushan Kumar, aged about 20 years, male, Son of Rakesh Kumar @ Rakesh Kumar Singh, Resident of Village - Mustafapur, Police Station - Punpun, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 12-03-2021 Heard Mr. Anil Kumar Singh, learned
counsel for the petitioner and Mr. Ram Priya Sharan
Singh, learned APP for the State.

The petitioner seeks bail in connection with
Special Case (POCSO) No. 241 of 2019 arising out
of Punpun P.S. Case No. 306 of 2019, dated
25.11.2019, instituted for the offences under
Sections 376 and 511 of the Indian Penal Code and



Section 8 of the POCSO Act.

The prayer for bail of the petitioner was earlier rejected by a Bench of this Court *vide* order dated 20.02.2020 passed in Cr. Misc. No. 7812 of 2020. While rejecting the prayer for bail, the Bench had observed that bail was being refused on the ground of the age of the victim, but the rejection was for at that stage. The Court below had taken note of the fact that the petitioner is in custody since 27.11.2019.

The prayer for bail has again been repeated by the present application.

This Court, on 30.01.2021, had called for a report from the Court below about the stage of the case. The report dated 04.02.2021 has been received and kept at Flag-B.

The report indicates that the charges in this case had been framed on 27.02.2020 but till date, not a single witness has been examined.

Considering this aspect of the matter, I am



inclined to grant bail to the petitioner but with certain conditions.

The petitioner/Raushan Kumar is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-Ist-Cum-Special Judge, C.B.I.-II, Patna in connection with in connection with Special Case (POCSO) No. 241 of 2019 arising out of Punpun P.S. Case No. 306 of 2019, subject to the following conditions:-

(i) That the petitioner shall participate in the trial;

(ii) That the absence of the petitioner from the trial proceedings on two consecutive occasions, without prior consent of the Trial Court, would render his bail liable to be cancelled;

(iii) That the petitioner, without seeking permission from the Trial Judge, shall not leave the territorial confines of the Trial Court; and



(iv) That the petitioner shall also get his presence marked before the Officer-in-Charge of the concerned police station on the first Monday of each month. The Officer-in-Charge of the concerned police station is directed not to detain the petitioner in the police station unnecessarily.

With the aforesaid observation/direction, the application stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

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