

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39526 of 2020

Arising Out of PS. Case No.-228 Year-2020 Thana- BODHGAYA District- Gaya

Rajiv Ranjan, S/o Surendra Kumar Sharma, R/o village-Berthu, P.S.-
Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 15-03-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
POCSO Case No.77 of 2020 arising out of Bodh Gaya P.S. Case
No.228 of 2020 registered for the offence punishable under
Section 370/370A/373/34 of the Indian Penal Code, Section 6 of
the POCSO Act, 2012 and Section 3/4/5 of the Immoral Traffic
Act, 1956.

The prosecution case is that a liquor party was
going on, wherein some girls had also been invited and it is
alleged that on reaching the place, the girls have alleged that
they were forcibly brought there and were being subjected to
physical harassment.

It is submitted by the petitioner's counsel that the



petitioner bears no criminal antecedents and implication in Bodh Gaya P.S. Case No.227 of 2020 is also a fallout of the instant FIR. Petitioner is an artist and has gone to the house of co-accused Manoj Yadav to settle some dues and has become a victim of the circumstances. Even as per the allegations, he has neither been recovered with the liquor nor has been found in the same room with any of the girls. The girls have later denied their statements recorded under Section 164 Cr.P.C. as being under police duress. It is under these circumstances that the petitioner is in custody since 21.08.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 Additional District & Sessions Judge-VI-cum-Special Judge, POCSO, Gaya, in connection with POCSO Case No.77 of 2020 arising out of Bodh Gaya P.S. Case No.228 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give



an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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