

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.6333 of 2021**

Arising Out of PS. Case No.-102 Year-2020 Thana- SOHSARAI District- Nalanda

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BISHU KUMAR @ VISHURANJAN KUMAR SON OF SANTOSH SAO
RESIDENT OF MOHALLA- SALEMPUR, P.S -SOHSARAI, DISTRICT-
NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Adv.

For the Opposite Party/s : Dr. Indivar Kumari, APP

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

3 30-07-2021 Learned counsel for the petitioner undertakes to remove

all the defects as pointed out by office within four weeks after start

of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Sohsarai P.S. Case No.102/2020 registered for the

offences punishable under Section 354(B) of the Indian Penal

Code and Section 8/12 of the POCSO Act.

Learned counsel for the petitioner submits that as per

the prosecution story the petitioner gave Rs.3 to the minor

daughter of the informant and caught her by her hand and wanted

to take her to some other place with bad intention but the girl fled

away and the petitioner could not do anything. The F.I.R. was

lodged on the next day of the alleged occurrence. Learned counsel submits that the petitioner and the informant are close-door neighbours and because of some quarrel between the two families, this case has been falsely concocted as it is evident from the F.I.R. itself that the petitioner had only allegedly caught the hand of the girl but did not do anything wrong.

Learned counsel further submits that the petitioner is in custody in connection with this case since 12.10.2020 after his surrender, investigation against him is complete but the trial is not likely to take place in near future.

Learned APP for the State has though opposed the prayer for regular bail of the petitioner, considering the facts and circumstances of the case, in the nature of the accusation, there being no allegation of any overt act, the period of custody being more than 9 months and the petitioner having no criminal antecedent, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Fast Track Court (POCSO Act-cum-A.S.J. VII), Nalanda at Biharsharif in connection with Sohsarai P.S. Case No.102/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the

conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further 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.

(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'.