

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7827 of 2022

Arising Out of PS. Case No.-4 Year-2022 Thana- DUMRAO District- Buxar

=====

JHUNU MARWARI @ RANJAN KUMAR @ SANJAY KUMAR S/o Late
Motilal Marwari @ Late Motilal Agrawal Resident of Village- Hari Ji Ka
Hata, Dumraon, P.S.- Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar,Adv

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 354 (B) of the IPC and Section 8 of POCSO Act.

The prosecution case, in short, is that on 03.01.2022 when informant's daughter was going to bazar, then petitioner called her inside his house and asked her to touch his private part and also tried to misbehave with victim. Thereafter victim run away from that place and informed his father at about 11.00



P.M., when he came back from Patna after treatment of his father-in-law.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that in fact no occurrence has taken place rather the present FIR has been lodged by the informant only to harass the petitioner. He further submits that the informant as well as the victim were examined during trial and it appears from the deposition of the victim and the informant that they had not made any allegation against the petitioner and the petitioner is in custody since 05.01.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Dumraon P.S. Case No.04 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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.

(Rajesh Kumar Verma, J)

Nitesh/-

U		T	
---	--	---	--

